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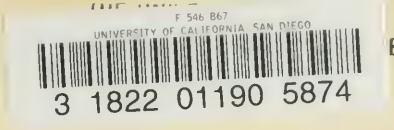
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THE CENTENNIAL HISTORY OF ILLINOIS

CLARENCE WALWORTH ALVORD
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Volume V

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MICHIGAN AVENUE
Looking South from Randolph Street

THE CENTENNIAL HISTORY OF ILLINOIS

VOLUME FIVE

THE MODERN COMMONWEALTH

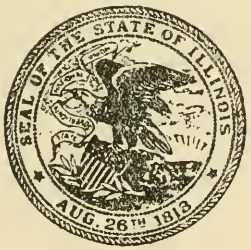
1893-1918

BY

ERNEST LUDLOW BOGART

AND

JOHN MABRY MATHEWS



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PREFACE

TO WRITE the history of recent events is at no time an easy task. But when this history concerns the development of a growing, dynamic body like the people of Illinois, the attempt to portray their manifold activities and constant readjustments becomes doubly difficult. This volume seeks to trace the main lines of economic, political, and social development during the past quarter century, and to indicate the measure of progress which the people of this state have achieved in these departments of human endeavor. After all is said it is a record of which any state might well be proud.

Progress has been particularly marked in all lines of economic activity. The growth of population and of wealth, the steadily augmenting output of farm and factory and mine, the expansion of railway and other transportation facilities, and the improvements in agriculture, manufactures, banking, and commerce, all bear witness to the energy and successful achievements of the people. But the story is by no means confined to material improvement. With the growth in wealth has come an increasing application of that wealth and the interests of the people to the advancement of culture, of art, and of learning. And with the growth in leisure has come better understanding of political problems and a determination to solve them.

During the last quarter of a century political development in the direction of better and more efficient government has been slow but steady. This growth has been especially noticeable in connection with the introduction of the merit system of appointment to the civil service and the reorganization of the principal administrative services on a more integrated and systematic basis. The increasing power of the governor over both legislation and administration is also noteworthy. Political progress

in a democracy rests at bottom upon the education and practical experience of the mass of the voters in governmental affairs. The increasing interest and participation of the people in political activities is, therefore, a healthy sign and indicates that the political salvation of the state is, in spite of ups and downs, being worked out.

The author of the chapters on economic development wishes to make acknowledgment for valuable assistance rendered him in the preparation of this volume. Preliminary studies were made on different topics by the following persons working as research assistants for the Illinois Historical Survey or for the Centennial Commission: agriculture, George H. Newlove; manufactures, Yetta Scheftel; trade, and road and water transportation, Walter Prichard; railroad transportation, Clare E. Griffin; labor organization, E. B. Mittelman.

The author of the chapters on government and politics desires to acknowledge his indebtedness for valuable suggestions and criticisms to Mr. W. F. Dodd, secretary of the Legislative Reference Bureau, who has read the entire manuscript of those chapters. The authors alone, however, are responsible for the errors and shortcomings of the work.

No volume on modern Illinois would seem complete without mention of the state's part in the World War. By special arrangement, therefore, Professor Arthur C. Cole has supplied chapter twenty-one, which gives a brief survey of that subject. Likewise by special arrangement, Mr. Henry B. Fuller has contributed a supplementary chapter on arts and letters, chapter two.

Ernest L. Bogart,
John M. Mathews.

Urbana, *March 20, 1918.*

THE MODERN COMMONWEALTH

1893-1918

I. POPULATION

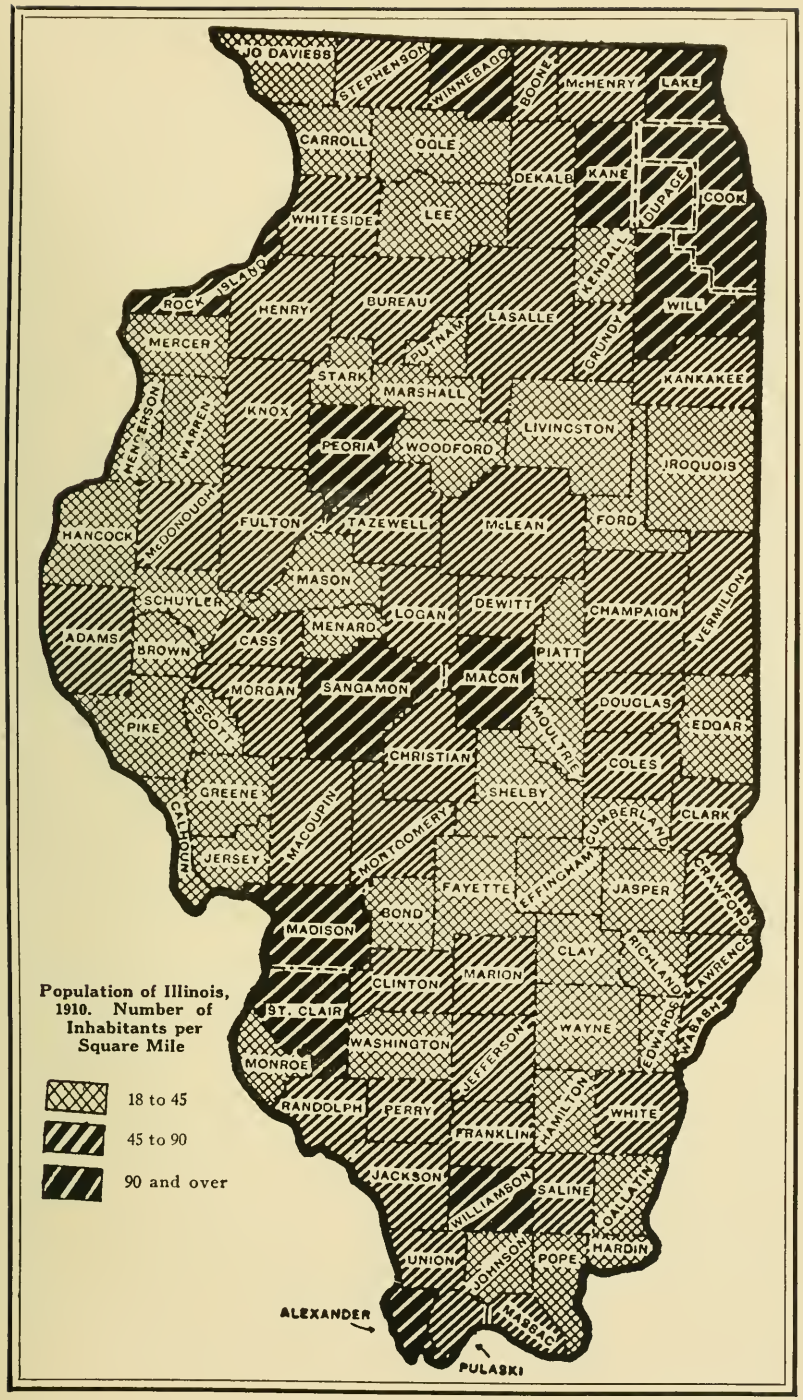
THE rapid increase in the population which had characterized the early days of pioneering and land speculation and even the later period of settlement and development had carried Illinois to high rank among the states. By 1860 it held fourth place and a generation later attained third place, a rank which it has since held, being surpassed at present in the size of its population only by New York and Pennsylvania. Proud of its rapid growth, which it accepted as a sign of virility, it boasted with all the hardihood of youth of its accumulating numbers and sought by every legitimate method to attract and hold a still larger population. And to the Illinois of 1870, with its teeming untouched resources, its untenanted farms, and the wonderful industrial opportunities which men of vision saw undeveloped on every hand, a larger population was essential. For the fullest realization of its powers, the utilization of its resources, and the development of the highest type of civilization, a people must secure physical and mental contact; and for this purpose a fairly dense population is necessary. For these reasons the rate of increase of the population was a question of supreme importance in the growth of the state.

Illinois has always been an hospitable state and has welcomed the newcomers with open arms. The measure of its welcome has been the political rights and the economic opportunities which it has granted, and in both these respects it responded lavishly in 1870. Liberal franchise laws soon put the stranger upon a political equality with the older citizens. The period since the Civil War has been marked primarily by the exploitation of the natural and agricultural resources

of the country, their utilization in expanding manufactures, and the improvement and extension of transportation facilities. A tremendous demand was thus created for labor and in this need Illinois kept pace with the other states. Indeed its necessities were greater than those of the older states to the east, as they were more urgent than those of the less richly endowed states to the west or south. The response to its call was prompt and unceasing.

The year 1870 marks the dividing line between a period of rapid growth in the population of the state and one of much slower growth. During the fifty years from 1810 to 1860 the population of Illinois had increased very markedly, the smallest rate of increase for any decade being seventy-eight and eight-tenths per cent between 1840 and 1850, and in every instance showing a growth many times as rapid as that of the country as a whole. But by 1870 the rush of settlement had passed this state and the rate of growth slowed down decidedly. It is characteristic of older settled communities that after the early settlement and the first flush of immigration there should be a steady decline in the rate of increase. Illinois was no exception during the fifty years ending in 1910, and in the last decade even reached the low rate of sixteen and nine-tenths per cent increase. Indeed in every decade since 1870 the rate of increase has fallen below that of the nation as a whole except for the period 1890–1900 — the decade of the World's Columbian exposition. On the other hand, while the rate of increase has been falling off, the absolute number of persons added to the population has remained fairly constant and has even grown slightly. This is perhaps a fairer test of growth than the rate, for as the total population increases the latter would normally decline. It is certain that Illinois is by no means overcrowded and that the population of the state may be expected to continue to grow, though at an ever-declining rate, in the future as in the past.

The average density of population in Illinois in 1910 was 100.6 persons to the square mile; this was an increase from 45.4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JACKSON
SALINE
WILLIAMSON
GALLATIN
UNION
JOHNSON
POPE
HARDIN
ALEXANDER
MASSAC
PULASKI
Population of Illinois, 1910. Number of Inhabitants per Square Mile
18 to 45
45 to 90
90 and over

in 1870. How dense this is can best be seen by a comparison with some of the eastern states. Such a comparison will dissipate any doubt as to the future growth of the state, or the possibility of its ability to support a larger population. If Illinois

POPULATION OF ILLINOIS AND OF THE UNITED STATES, 1800–1910

DATE	Population of United States	Population of Illinois	Rank of Illinois in union	Rate of increase for decade	
				United States	Illinois
1800.....	5,308,483			35.1	
1810.....	7,239,881	12,282	24	36.4	
1820.....	9,638,453	55,211	24	33.1	349.5
1830.....	12,866,020	157,445	20	33.5	185.2
1840.....	17,069,453	476,183	14	32.7	202.4
1850.....	23,191,876	851,470	11	35.9	78.8
1860.....	31,443,321	1,711,951	4	35.6	101.1
1870.....	38,558,371	2,539,891	4	26.6	48.4
1880.....	50,155,783	3,077,871	4	30.1	21.2
1890.....	62,947,714	3,826,352	3	25.5	24.3
1900.....	75,994,575	4,821,550	3	20.7	26.0
1910.....	91,972,266	5,638,591	3	21.0	16.9

had as many persons to the square mile as Rhode Island, which was in 1910 the most densely settled state in the union, its population would amount to 28,500,000 instead of 5,600,000; or if the people of Illinois were no more numerous than those of Massachusetts, the second state in point of density, they would number 23,500,000; while if Illinois were to become an industrial state with a population as dense as that of Belgium, the most densely settled state in Europe, it would have 56,800,000 persons within its limits. It is evident that there is still room for expansion.

The population of the state has been growing, but different sections of the state have shared very unequally in this development. The most striking shift that has come about in the distribution of the population during the last forty years has been the growth of the urban centers, which have absorbed the major portion of the newcomers, and in some counties even caused a decrease in the rural population.

While the movement from country to city is national in its scope it has been proceeding much more rapidly in Illinois, especially in recent years, than in the union as a whole. In 1870 Illinois, still preponderantly an agricultural state, was more rural than the average. Only 17.2 per cent of the population lived in cities of 8,000 inhabitants or over as against 20.9 for the United States. By 1880 the two percentages were about the same; in Illinois about three-tenths of the population lived in cities. But in the three decades ending in 1890, 1900, and 1910 the urbanization of the state has gone on much more rapidly than that of the whole country, so that by the last date almost sixty-two per cent of the population were living in towns or cities in Illinois, as against forty-six per cent in the United States. Illinois is therefore approaching the status of the states in the east, as its population becomes steadily more urban. The following table shows the distribution of the urban population in somewhat greater detail:

DISTRIBUTION OF URBAN POPULATION, BY SIZE OF CITY, 1870–1910[1]

YEAR	State	Chicago		Cities having population 25,000–100,000		
		Population	Per cent population	No.	Total population	Per cent population
1870.....	2,539,891	298,977	11.6	0		
1880.....	3,077,871	503,185	16.3	2	56,527	1.8
1890.....	3,826,352	1,099,850	28.7	2	72,518	1.9
1900.....	4,821,550	1,698,575	35.2	6	216,570	4.5
1910.....	5,638,591	2,185,283	38.8	11	434,395	7.7

YEAR	No.	Towns of 2,500 to 25,000		Rural districts	
		Population	Per cent population	Population	Per cent population
1870.....	46	297,065	11.7	1,943,849	76.6
1880.....	66	257,056	12.3	2,137,367	69.4
1890.....	75	537,804	14.1	2,116,180	55.3
1910.....	107	701,223	14.5	2,205,182	45.7
1900.....	132	857,251	15.3	2,161,662	38.3

[1] *Thirteenth Census of the United States*, 1: 68.

A more careful examination of the statistics, however, shows that the apparent urbanization of the population proceeds rather from the phenomenal growth of Chicago than from a state wide movement from the farms to the cities in general. It will be noticed that the population of Chicago grew by leaps and bounds, the proportion of persons living in the smaller cities of 25,000 to 100,000 increased but slightly, and the proportion in those having between 2,500 and 25,000 remained practically stationary. The only deduction possible is that the depopulation of the rural districts has been coincident with the growth of the city of Chicago.

This city has not only steadily grown in relation to the state as a whole, with one-tenth of the population in 1870 and almost four-tenths in 1910, but has also absorbed most of the rural population which during this period has been deserting the farms. In the latter year Chicago had actually more inhabitants than all the rural districts of the state put together. If Chicago be excluded entirely from consideration, however, it is clear that no such serious change has occurred in the distribution of the population of the state outside this city, though even in this case there is evident an appreciable movement from rural to urban, or to semiurban, districts, especially the latter.

As a result of the gains of the cities and towns of the state, aside from the growth of Chicago, the rural population was steadily declining, from 87 per cent of the non-Chicago total in 1870 to 62 per cent in 1910. While the small towns of under 25,000 inhabitants gained most of this rural loss down to 1890, the last two censuses show a greater gain for the medium sized cities. Or perhaps it would be more correct to say that the gains of the smaller towns have been so great that they have risen in time to the dignity of cities of twenty-five to one hundred thousand. In 1870 there was no city in the state in this group, but by 1910 the number had grown to eleven. At the same time the number of smaller towns had increased from 46 in 1870 to 132 in 1910.

In order to estimate the tendency of the population move-

ment now going on in the state it is not sufficient, however, to study the distribution between city and country at different periods; the rate of growth of the various divisions from one census period to another must also be noted. The rate of increase of the population of the state as a whole has shown a steady decline, as pointed out above. Chicago's development has been subject to wild fluctuations, increasing by 174 per cent in the decade 1860–1870, by only 68 per cent in the next decade, spurting forward again between 1880 and 1890, since which time the rate of growth has steadily fallen off. The growth of the smaller cities of the state has shown similar variations, due in part to the growth of smaller towns from one decade to another and their inclusion in the list of cities in the later census enumerations. Next to the growth of Chicago, however, the most significant thing is the decline in the population of the rural districts, which in 1890 and again in 1910 shows a decrease instead of an increase.

A closer study of the rate of growth of the twelve cities in the state with a population in 1910 of over 25,000 reveals some interesting changes. In the decade 1860–1870 the greatest growth was made by Danville (191.1 per cent), though Chicago was a close second (173.6). In the decade 1870–1880 Chicago led with 68.3 per cent, Danville (62.8), East St. Louis (62.7), Elgin (61.5), and Joliet (60.5) following close behind. There was a decided falling off in the rate of growth of the population of the state as a whole during this decade, due probably to the exaggerations of the census of 1870; and this was evidenced in the slowing down of the rate of increase of the urban population. During the decade 1880–1890 Chicago was again far in the lead with a gain of 118.6 per cent, second place being taken by Elgin with 102.8. The rate of growth of Chicago now declined, though the absolute increase for the next decade 1890-1900, was even greater than the previous one, and the lead was taken by East St. Louis (95.5 per cent), with Chicago second (54.4). For the last decade 1900–1910, East St. Louis again showed the greatest growth (97.4 per cent), while Danville

took second place (70.4), Chicago meanwhile sinking to sixth place. The smallest increase for this decade was shown by Quincy, which grew only 0.9 per cent.

It would seem from these figures of the rate of growth of the different cities that there might be some hope in the future of a more equal distribution of the urban population among the twelve cities with a population of over 25,000, but the percentages of rate of increase are somewhat misleading. The larger the population of Chicago the smaller the rate of increase will become, even though an equal number of inhabitants be added each year. If the absolute growth of the population be taken as a basis of comparison, there is not shown any likelihood that the other cities of the state will close the gap between themselves and Chicago. For instance, in the decade 1900–1910 the population of Chicago increased 486,708, that of the other eleven cities together increased only 110,851 and all the rest of the state 219,482.

One peculiarity about the distribution of the population in Illinois between city and country, which is brought out clearly by a study of these figures, is the growing importance of Chicago in the development and life of the state, until today it occupies a dominating position. There is a wide gap between Chicago and East St. Louis with its 75,000 inhabitants, the second city in the state as regards size. Only four cities outside of Chicago have as many as 50,000 inhabitants, and only eleven have 25,000 or more. The population of the twelve leading cities in the state was estimated as follows in 1916: Chicago, 2,497,722; East St. Louis, 74,708; Peoria, 71,458; Springfield, 61,120; Rockford, 55,185; Decatur, 39,631; Joliet, 38,010; Quincy, 36,798; Aurora, 34,204; Danville, 32,261; Elgin, 28,203; Bloomington, 27,258.[2]

The rise of Chicago from a trading station of less than a dozen houses in 1818 and its first incorporation as a city in 1837 to that of its present dominating position as the leading city of the Mississippi valley, the second in size in the United

[2] *Estimates of Population of the United States,* 20.

States and the fourth in the world, is one of the marvels of the nineteenth century. And yet this was only the logical outcome of the economic and physical factors which made it inevitable that a great city should develop on the southern shores of Lake Michigan. The cause of the growth of Chicago was at first its commerce, due to its advantageous situation for lake and river trade. With the advent of railroads, the supremacy of the city as the chief commercial center of the west was only more firmly established. She became the gateway of the northwest and the terminus of innumerable lines radiating in every direction. To the commercial importance of Chicago the agricultural expansion of the state and of the whole western country contributed directly.

More recently, within the lifetime of the present generation, a still firmer and more enduring basis has been given to the growth and future greatness of Chicago by the development of manufactures. As an industrial city her growth dates from the eighties. Chicago is greatly favored by the possession of practically all the requisites for supremacy in manufacturing: raw materials, especially those derived from field and forest and mine, within the boundaries of Illinois or those of neighboring states, cheap power obtained from the low-grade coal of southern Illinois and Indiana, a magnificent system of transportation by water and rail which has given it the cheapest rates in the world, and finally an abundant and high-grade supply of labor. By this last is meant not alone the manual workers who have contributed their mechanical skill or muscular strength to the upbuilding of the city, but even more the men of capacity and vision who foresaw the possibilities of the future and devoted their energies and ability to the realization of their dreams.

The modern city of Chicago dates from 1871 when the great fire swept away many of the existing structures. Half a century, therefore, has seen the construction of the material monuments of the city of today — the massive business buildings and the countless homes of the people, the schools and other public institutions, the water, sewer, and lighting systems,

the railways, the streets, and public parks. Marvelous as this has been, it is not more striking than the spirit of the people which has made it possible. Energetic, daring, undismayed, charged with hope and high faith in the future, withal at times a little brusque and with a breeziness born of the lake near which they dwell, the people of Chicago have achieved much and won for themselves the admiration and wonder of the rest of the world. The statistics of population record the growth of the physical city, but the human qualities which have made Chicago great are not reducible to measurement.[3]

Not only Chicago but the state of Illinois has become increasingly industrial, and as a result the population has tended to become more urban. Indeed one of the remarkable features about the development of Illinois is the fact that while it holds first place in the union as an agricultural state, it ranks second in the value of the products of the mines, and third in those of manufactures. If Illinois be compared with other states in the union as regards the urbanization of the population, that is the proportion living in cities of 25,000 or over, it is found to rank sixteenth in this respect in 1880, eleventh in 1890, and seventh in both 1900 and 1910. In the last year, it was outranked by Massachusetts, Rhode Island, Connecticut, New York, and New Jersey, and equalled by California. It is evident from this grouping that from 1900 on, Illinois must be classed among the industrial states with a large urban population engaged in industrial pursuits.

More important for the sake of throwing light upon the causes of the growth and distribution of the population even than the study of the urban development is the investigation of the growth of the separate counties. If a list were made of the ten most populous counties for each of the five census periods from 1870 to 1910, seven would be found to occur in every list;[4] two of those in the original list of 1870 (Adams and Mc-

[3] The population of Chicago grew from 298,977 in 1870 to 503,185 in 1880, 1,099,850 in 1890, 1,698,575 in 1900, 2,185,283 in 1910, and 2,393,325 in 1917. This is a record equaled by no other city.

[4] These are Cook, St. Clair, Peoria, Kane, Sangamon, La Salle, and Will. Madison occurs in every list except that for 1900.

Lean) drop out in 1910, to have their places taken by two others (Vermilion and Rock Island) which had sprung into importance in the interval. It is evident that most of these counties are among the most densely settled because in them are to be found the larger cities in the state. Their growth must be attributed to the growth of the urban population within their boundaries rather than to a general thickening of the population over their entire area. Thus, the city of Chicago is to be found in Cook county, La Salle in La Salle, Quincy in Adams, Bloomington in McLean, East St. Louis in St. Clair, Peoria in Peoria, Springfield in Sangamon, Alton in Madison, Joliet in Will, Danville in Vermilion, Rock Island in Rock Island, and Aurora and Elgin in Kane. Indeed those counties which show the largest population have the largest cities, and the one, namely Kane, which has shown the most rapid rise, has two cities within its limits.

Of those counties which showed the greatest increase for the last two decades, 1890–1910, at least six owe their rapid growth to the exploitation of the coal underlying their surface, while the other three have built up manufacturing industries based upon the utilization of this coal and the cheap iron ores brought down from the Minnesota mines. On the other hand, the counties which have shown an actual decline in their population are predominantly agricultural and have no industrial basis.

In the decade 1860–1870, only one county in the state — Kendall — sustained a net loss in its population, but in the next decennial period the movement from the country to the city or from the state altogether began to show itself more strongly. Nine counties showed a decline in their population in the decade 1870–1880, and twenty-eight in the following ten-year period. During the decade 1890–1900 there was a tremendous increase of the population of the state by almost a million souls, and only six counties showed a falling off. Either this increase offset the rural depopulation which had been going on or the movement toward the cities slowed up, owing to industrial depression. But the lull was only temporary, for during the next dec-

ade the decline took on new vigor and in the period 1900–1910 some fifty counties or almost half of all those in the state — 102 — lost in population.[5] At the same time that the state was expanding and developing in numbers there was going on within the boundaries of the state a most interesting and significant shift of the population from one set of counties — namely the agricultural — to another set of counties — the industrial and mining. There was also a large number of other counties whose population was practically stationary, but which another decade will probably see join the class of those counties with a declining population.

Perhaps it is too much to say that there has been a shift from one set of counties to another. All that is known confidently is that certain counties have lost and others have gained. The persons who have left the counties with declining populations may have died or they may have left the state and moved farther west during this period. And on the other hand, the additions to the population in the growing counties may have resulted largely from immigration. Probably both of these movements have taken place, as may be seen by the statistics of interstate migration and by those showing the composition of the population according to nativity.

A glance at a map of the state in connection with a list of the counties in which the population has decreased in any one of the past four decades shows in which sections the movement was strongest. During the decade 1870–1880, the loss was practically confined to a few counties in the middle western section. Between 1880 and 1890 there was a movement away from the

[5] The following is the list of counties which showed a loss in their population between 1900 and 1910, the accompanying figure being the percentage of loss: Adams (3.7), Boone (2), Brown (10), Calhoun (3.4), Carroll (4.9), Clark (2.1), Clay (4.6), Cumberland (11.4), DeWitt (0.3), Edgar (3.3), Edwards (2.9), Effingham (2), Ford (6.9), Gallatin (7.6), Greene (4.4), Hamilton (9.8), Hancock (4.9), Hardin (5.8), Henderson (10.3), Iroquois (6.5), Jasper (9.9), Jersey (4.5). Jo Daviess (7.6), Johnson (8.5), Kendall (6), Lee (7.2), Livingston (3.7), McDonough (5.4), Marshall (4.2), Mason (0.7), Menard (10.7), Mercer (5.8), Monroe (2.4), Morgan (1.7), Moultrie (3.9), Ogle (4.3), Piatt (7.5), Pike (9.4), Pope (17.4), Richland (2.6), Schuyler (7.9), Scott (3.7), Shelby (1.3), Stark (0.9), Union (3.3), Washington (3.9), Wayne (7), White (9.2), Whiteside (0.6), Woodford (6).

counties all along the western border. In fact only five counties touching the Mississippi have not shown a loss at some time in the last forty years. There was little change between 1890 and 1900, but during the decade 1900–1910 most of the counties already listed showed additional losses, and they were joined by a number of new ones, especially in the southern and southeastern parts of the state.

In order to understand more clearly the causes of the decline in the population of practically half the counties in the state between 1900 and 1910 it is necessary to differentiate the rural population somewhat more carefully. This may be divided into those living in incorporated places of less than 2,500 inhabitants and those living on farms or in unincorporated places; the latter may be called the farm population and the former the village population. Distinguishing these two groups it is found that the small increase of the rural population of three-tenths per cent for the decade was due to the positive decline of the farm population by over seven per cent, for the village population increased eleven and one-tenth per cent. It is evident therefore that any inquiry into the causes of the loss of population in the rural districts of Illinois resolves itself into an inquiry as to the reasons for the decline of the farm population.

In the older sections of the country the obvious explanation would be the abandonment of the farms, but the addition during the decade of 349,104 acres to the improved farm area of the state makes it necessary to seek a different answer for Illinois. Another explanation of the movement from the farm to the city is the smaller size of families and the barrenness of rural social life. But the former would be difficult to establish statistically, and the latter is decidedly less true with each passing year. The introduction of rural free delivery, of the telephone, of automobiles and interurbans, has tended to bring the city nearer the farm.

A more correct explanation undoubtedly is that with the increased use of farm machinery less labor is needed on the farm

and the labor thus set free naturally gravitates to the cities and towns where it is absorbed by the expanding manufactures.[6] That this is true of Illinois is evidenced by the fact that during the decade 1900–1910 the value of farm implements and machinery on the farms of the state increased from $44,977,310 to $73,724,074 or 63.9 per cent, which was double the rate of increase for the previous decade. At the same time the number of separate farms in the state declined five per cent, from 264,151 to 250,853. This was due to the fact that with the aid of improved machinery a man could manage a bigger farm unit than formerly. Between 1900 and 1910 the average size of the farms in Illinois grew from 124.2 acres to 129.1 acres. The number of horses and of gasoline engines on farms has also shown a large increase. In other words human labor has been supplanted by animal and other power, which, applied to improved farm machinery, has greatly increased the efficiency of the individual farmer and enabled him to work a larger farm, increase his output, and at the same time dispense with part of the labor force previously needed. If this explanation is correct, the movement of the population from the farms must be regarded as an economic gain.

If the United States is the melting pot of the nationalities of the world, Illinois certainly does its share in the fusing process. Illinois has always been a favorite resort of immigrants. Since 1870 it has ranked first in respect to the absolute number of foreign born in the north central division, though Minnesota, Wisconsin, and North Dakota have a larger proportion of foreign born. In the United States as a whole Illinois has been exceeded since 1870 only by New York and Pennsylvania in the total number of foreign born within the state. That they have not constituted a larger percentage in the population of the state is due to the equally rapid increase of the native population, which has kept the proportion very steady.

The proportion of the foreign born element in the popula-

[6] Bogart, "Farm Ownership in the United States," *Journal of Political Economy*, 16:203.

tion has remained fairly steady for the past forty years, at about twenty per cent of the total. There are seventeen other states which have a larger proportion of foreign born, and twenty-six which have a larger percentage of Negroes. But the problem of assimilating these alien elements is not measured merely by the number of the foreign born, for it usually takes more than one generation to fuse them thoroughly into the body of American citizens. If therefore to those of foreign birth there be added those persons, one or both of whose parents has been of foreign birth, and whose home environment has therefore had a considerable foreign flavor, a truer index of the problem of assimilation laid upon the people of Illinois will be given. Throughout all five decades the proportion of this alien element has been greater in Illinois than in the union as a whole.

In 1870 the two groups of foreign born and native born with foreign or mixed parentage made up 59 per cent of the total population in Illinois as compared with 55 per cent for the whole country; in 1880 no comparison is possible as these statistics were not compiled by the census of that year; in 1890 the figures were respectively 50 for Illinois and 45 for the United States; in 1900 they were 53 and 46 per cent, and in 1910, 54 and 46 per cent. The proportion of alien elements was much higher in 1870 than in any subsequent period, as during the next two decades there was a considerable movement of the native born population into Illinois from states farther to the east. It reached the lowest point in 1890 and since that time has gradually increased again, though in 1910 it had not yet reached the proportion of 1870.

The problem here presented is too important to dismiss with a bare record of the statistics involved. Its seriousness for the economic, social, and political life of Illinois depends upon several factors which cannot be given in any statistical presentation. Much depends upon the nationality of the immigrants. The English and Irish, the Germans and Swedes of the past generation were much more easily assimilated with the native population than are the recent Latin and Slavic elements.

The intelligence, age, training, plasticity, and other characteristics of individuals must also be taken into account. Some come with the intention of becoming permanent citizens; others are simply sojourners and are possibly hostile to our institutions. The "alienage," so to speak, of different groups and of individuals within each group will therefore be very different. The continuance of the strength of the foreign influence which surrounds the immigrant depends largely upon the environment in which he is placed in his new home. Where he settles among members of the same nationality, the foreign language, customs, and habits of thought are apt to be perpetuated and the Americanization of the immigrant becomes more difficult. It is this fact more than any other that has created such serious problems in cities like Chicago, Joliet, Rockford, and other rapidly growing industrial towns.

There are no statistics of immigration into Illinois, so that the table of foreign born in Illinois merely shows the number of each nationality living in the state at the specified period. Unless death or emigration removed those who were in the state in 1870, they would be added to the newcomers between 1870 and 1880 and so on, so that normally each successive census enumeration would show a larger number until the earliest immigrants began to die off. This process is beginning to show itself in the case of those nationalities which were already settled in the state in large numbers by 1870. Now, almost fifty years later, the earlier settlers are disappearing and the later immigrants are not coming in fast enough to maintain the group. Thus, the crest of the wave for British, Irish, Germans, and French was reached in 1890, since which date their numbers have been declining.

The Germans still remain the most numerous element in the foreign born population, constituting 26.5 per cent of this group in 1910;[7] in fact only one other state, namely New York, contained a greater number of persons of German birth than

[7] The native Germans plus those born in this country, one or both of whose parents were German, constituted 34.7 per cent.

did Illinois. Certain sections of the state, as St. Clair county, were settled by German immigrants as early as 1830,[8] and the steady stream of settlers of the same nationality since that time has contributed a sturdy stock to the peopling of the state.

The Irish made up 7.8 per cent of the foreign born in Illinois, and the English 5 per cent, but if there were included the English Canadians the figure for the British would be 8.1 per cent. Owing to the fact that these two groups speak the English language they have never constituted so conspicuous or definite an element of the population as the people from continental Europe and have been easily assimilated.

The French made up in 1910 less than one per cent of the foreign born population in the state; and even if to the natives of France there be added those of Belgium, Switzerland, and French Canada, the total would be only 2.8 per cent. In the case of all the Latin countries the immigration has always been small, except from Italy, whose sons and daughters in ever increasing numbers have sought in this land of opportunity refuge from hard conditions of life at home. The Italians made up six per cent of the foreign born in the state in 1910.

Immigration from the Scandinavian countries is large and has been steadily increasing, especially of those from Sweden. In 1910 the natives of Denmark, Norway, and Sweden together constituted 13.7 per cent of the foreign born population; and if Holland's contribution be added the total from these four countries would be 14.9 per cent.

But the most striking and important change has been the enormous increase in the Slavic elements of our population, which began seriously in the eighties. So rapid has been the immigration from Austria-Hungary and from Russia that it has brought with it new and difficult problems of assimilation and adjustment that were not presented in connection with the earlier immigration. These are particularly serious because the more recent immigration has coincided with a period of industrial development and of urban concentration and has therefore

[8] Faust, *German Element in the United States*, 1:457.

resulted in a concentration of the newer comers in the cities, particularly in Chicago. Thus, while the proportion of the foreign born in the male population twenty-one years of age or over was 33.5 for Illinois in 1900, for Chicago it was 53.5, for Joliet 49.8, and for Rockford 47.6.[9] Natives of Austria now rank second only to the Germans in the foreign born population of Illinois (13.6 per cent in 1910); if the natives of Hungary be added the two together would constitute 16.9 per cent. The Russian born population of Illinois ranks third among the foreign born elements in the state (12.4 per cent). The following table shows the country of origin of the foreign born population of Illinois for the last five census periods:

FOREIGN BORN IN ILLINOIS BY NATIONALITY [10]

COUNTRY OF ORIGIN—	1870	1880	1890	1900	1910
Great Britain }	192,960	75,859	95,113	88,775	85,176
Ireland }		117,343	124,498	114,563	93,451
British America	32,550	34,043	39,525	50,595	45,233
Germany	203,758	235,786	338,382	332,169	319,182
Holland	4,180	5,012	8,762	21,916	14,402
Sweden	29,979	42,415	86,514	99,147	115,422
Norway	11,880	16,970	30,339	29,979	32,913
Denmark	3,711	6,029	12,044	15,686	17,368
France	10,911	8,524	8,540	7,787	7,966
Belgium	*	1,464	*	*	9,399
Switzerland	8,980	8,882	*	9,033	8,660
Italy	*	1,764	8,035	23,523	72,160
Austria	2,099	2,608	8,087	18,212	
Bohemia	7,350	13,408	26,627	38,570	163,020
Hungary	*	691	3,126	6,734	
Russia	*	1,276	8,407	28,707	
Poland	*	6,962	28,878	67,949	149,016
Others	6,840	4,541	15,470	13,402	71,946
Total	515,198	583,576	842,347	966,747	1,205,314

*Included in "others."

[9] *Reports of the Immigration Commission*, 1911, 1:15.

[10] The most recent addition to the conglomerate population of Illinois is Mexicans, of whom it is reported that there are 12,000 scattered within a radius of 120 miles of Chicago. *Chicago Tribune*, May 14, 1917.

Any attempt to determine the distribution of the foreign born population throughout the state of Illinois must be based upon the statistics of county population, as township statistics are not given by the census. But even within these wide areas certain significant tendencies reveal themselves. There were twenty-nine counties which at one or another of the last five census periods had a larger percentage of foreign born than the average for the state as a whole. In 1870 about one-fifth or 20.3 per cent of the population of the state was foreign born, but a still larger proportion was to be found in the following twenty-five counties: Jo Daviess, Stephenson, Winnebago, Boone, Lake, Cook, Du Page, Kane, Lee, Rock Island, Henry, La Salle, Kendall, Grundy, Will, Kankakee, Ford, Woodford, Peoria, Adams, Madison, St. Clair, Monroe, Clinton, and Washington. By 1910 this list of counties with an excess proportion of foreign born had shrunk to eleven, which comprised the following: Winnebago, Lake, Cook, Kane, Rock Island, Bureau, La Salle, Grundy, Will, Peoria and Madison.

The first thing to be noticed about the distribution of the foreign born is their comparatively wide distribution throughout the state in 1870 and 1880, and their increasing concentration in a smaller number of counties since that time. In 1870 and 1880 the proportion of foreign born exceeded the general average for the state in 25 counties; this number fell to 15 in 1890, to 12 in 1900, and to 11 in 1910. On the other hand the number of counties, the proportion of whose foreign born was less than ten per cent of their total population, rose steadily from 43 in 1870 to 46 in 1880, to 50 in 1890, to 60 in 1900, and to 66 in 1910. Inasmuch as the proportion of the foreign born element in the state as a whole remained almost constant — 20.3 per cent in 1870 and 21.3 per cent in 1910 — these facts indicate a tremendous concentration of the foreign born in a small number of counties. In 1910 over 82 per cent of the foreign born population in the state were concentrated in 10 counties, and 72 per cent in the single county of Cook.

The second significant fact about the distribution of the for-

eign born element in the state is the way in which they hug the northern border. If a line be drawn across the state from Will county on the east to Rock Island on the west there would be found in the list for 1910 only two counties south of this line, namely Peoria and Madison. The few counties in the southern and central parts of the state that were listed for 1870 and 1880 became more thoroughly saturated with native stock with each successive census year. Madison and St. Clair still show a considerable number of foreign born, but the proportion to the total population has steadily fallen. The explanation of this movement is to be found in the tendency of immigrants, especially those from northern Europe, who have until recently made up the bulk of the foreign born element in this state, to settle along northern lines of latitude in their desire to be near to kinsmen in Wisconsin and other neighboring states peopled largely by foreigners; and more recently in the extreme concentration of the immigrants in Chicago, there to find employment in the growing manufactures.

If the twelve cities in Illinois which at the census of 1910 had a total population of over 25,000 each be taken, there is to be found in them the same concentration of the foreign born that was observed in the case of the counties, only here it is even more pronounced. While the foreign born made up only 21.3 per cent of the total population of the state on this date, in the twelve cities named they constituted 32.6 per cent. In 1870, with the exception of Decatur, each city had more than one-fifth of its population of alien birth, and ten of them had over one-quarter. By 1880 the distribution was less widespread and with each successive decade there has been a stronger concentration of the alien elements in Chicago and a proportionate shrinkage in most of the other cities. In the year 1910 Chicago had 65 per cent of all the foreign born in the state. But there are also some small mining and manufacturing towns which do not appear in this group, a large share of whose population consists of immigrants.

If the group of these twelve cities be considered as a whole,

a steadily increasing proportion of the foreign born elements of the state population is to be found concentrated there. In 1870 only 35.3 per cent of the foreign born were to be found in these cities, most of them residing in rural districts. In 1880 the percentage was 41.5, it was 60.0 in 1890, 66.5 in 1900, and 70.9 in 1910. In other words, at the beginning of the last half century the foreign born element was predominantly rural; today it is overwhelmingly urban.

The causes for the concentration of the immigrants or foreign born in the large cities and especially in Chicago is first of all to be found in the exhaustion of the free or cheap land which took the earlier settlers on to the farms. This outlet is now practically closed, but the earlier immigration of Germans or English two generations ago consisted of farmers who took up the land and settled in groups. There is today many a community in the state which is predominantly of one racial strain or another as a result of this colonizing movement.[11]

A second cause of urban concentration is the development of factory industry which attracts and employs the immigrant in urban industrial centers. The industrial development of Illinois dates only from the eighties and has consequently been operative only a comparatively short time. The city itself is a recent growth, which has been made possible by improved means of transportation and communication and by the use of machinery. In 1870 Chicago was the only city in the state with a population over twenty-five thousand. Consequently there could not as yet have been much urban concentration.

Another reason for the increasing concentration of the foreign born in cities is their desire to be near friends and kinsmen who speak their own language. This is especially true of the recent Italian and Slavic immigrants. Handicapped by ignorance, poverty, and lack of training, they must find immediate employment in an unskilled occupation, and this the city offers.

[11] Wilson, *History and Directory for Southeast Missouri and Southern Illinois* (1875-1876), illustrates this idea when he says that the inhabitants of Clinton county are principally Germans (p. 163), the people of Jackson county are mostly English (p. 165), and Monroe county is settled mostly by Germans (p. 175).

Moreover, they are better able to adjust themselves to their new environment if they are near members of their own nationality who can advise and succor them.

And finally, as an explanation of this massing of the alien elements in Chicago, it must be remembered that Chicago is the great distributing point for immigrants to the west and northwest. Some of those now resident there may move on to other sections after they have learned the language and become acquainted with the industrial opportunities open to them elsewhere.

Half way between the native stock and the foreign born stands the Negro population, practically all of whom have drifted into the state since the Civil War. In 1870 there were only 28,762 Negroes in Illinois, but since that time they have been increasing steadily and, with the exception of the decade 1880–1890, at a more rapid rate than the white population. Especially rapid was the growth in the decade ending with 1870, when it was 277 per cent or almost four times the rate of increase of the white population. As a result of this influx of Negroes the proportion which they constitute of the total population has increased very steadily from 1.1 per cent in 1870 to 1.9 per cent in 1910. But the absolute number is still small, amounting only to 109,049 at the last census.

They are strongly massed in the southern counties and in three of them constitute a considerable proportion of the total population. Thus in Pulaski in 1910 they made up 37.3 per cent, in Alexander 35.6 per cent, and in Massac 19.5 per cent. In no other county did they constitute as much as eight per cent. From these southern counties they gradually filter through the rest of the state. Like the foreign born they show a considerable tendency to concentrate in cities, but Cairo is the only city in the state whose population is markedly affected by them, 37.5 per cent of its population in 1910 consisting of Negroes. No other city has as much as 10 per cent.

The picture of the foreign born population is necessarily one of change and movement; scarcely less so is that of the

native born population. In 1818, just a hundred years ago, John Bristed, in his *Resources of America,* said the Americans were the "most locomotive people" he had ever seen. This characterization is still true, and Illinoisians are today apparently among the most restless of the seething people of this country. Any discussion of the movement of the native born population in Illinois must consider two phases of the subject, namely, the immigration of native born whites from other states to Illinois, and the emigration of natives of Illinois to other states. These will be taken up in turn.

It was of course natural, in fact necessary, that Illinois, one of the newer states, should be peopled by settlers from the older sections. The native born population in 1870 was a remarkable alloy of north and south, those in the northern half of the state being descended largely from New England pioneers, but those in the southern half tracing their ancestry back to cavalier or other southern stock. While the northerners exhibit many Yankee traits, "the 'Egyptians,' as they call the natives of Cairo, Thebes, and other grotesque namesakes of Old Nile, are in looks, in dialect, in habits of thought, and in instincts and traditions, markedly of the South." [12]

From the population statistics of the census it is possible to construct a table which will show the extent to which the American born population of Illinois is made up of natives of other states and of those born within the state boundaries. The table on the following page shows these facts for the last five census periods.

This table shows that the process of settlement was by no means completed by 1870; two generations only had grown up within the state since it was first settled, and most of the people then residing in it had been born outside the state. Only 48 per cent of the population in 1870 had been born in Illinois, but this proportion steadily increased, reaching 56 per cent in 1880, 57 per cent in 1890, 60 per cent in 1900, and 68 per cent in 1910. That is to say, while the Illinois stock made up less

[12] Munroe, "The Heart of the United States," *Atlantic Monthly,* 102:335.

than half the population of the state in 1870, it constituted over two-thirds in 1910. At the same time the aggregate American born element remained almost constant, at about 80 per cent of the total population.

NATIVE BORN POPULATION IN ILLINOIS

	1870		1880	
	Number	Per cent of total population	Number	Per cent of total population
Total population of Illinois.	2,539,891	100.0	3,077,871	100.0
American born population of Illinois.....	2,024,693	79.7	2,494,295	81.0
Born in Illinois.....	1,189,503	48.0	1,709,520	56.0

1890		1900		1910	
NUMBER	Per cent of total population	Number	Per cent of total population	Number	Per cent of total population
3,826,352	100.0	4,821,550	100.0	5,638,591	100.0
2,984,004	78.0	3,854,803	79.9	4,433,277	78.6
2,196,288	57.0	2,893,857	60.0	3,406,638	68.0

It is manifest, however, that if the percentage of native stock remains constant while those born within the state constitute an increasing proportion of the whole, the infusion of native born from outside the state must be declining relatively, if not absolutely. An examination of the statistics of movement to and from the state shows this to be the case. The percentage of the American born in Illinois coming from other states in the union steadily declined during this period from 41.7 per cent of the native born population in 1870 to 31.5 per cent in 1880, 25.7 per cent in 1890, 24.9 per cent in 1900, and 22.6 per cent in 1910.

This was of course a perfectly natural movement, for not only was Illinois itself being filled up, but the states farther west offered even greater inducements to settlement in the way of free homesteads. Indeed, during the decades 1870–1880 and 1880–1890 there was an absolute falling off in the numbers

of native born Americans migrating into Illinois. Transcontinental railways carried intending settlers rapidly past Illinois to the free farms of the boundless west. Not until the desirable public domain was practically exhausted did this movement spend itself and the settlement of Illinois begin again. Thus in the two decades ending in 1900 and 1910 the number of natives of other states settling in Illinois has increased absolutely, though relatively the movement has not maintained itself. Moreover it is interesting to note that whereas most of this group down to 1900 had been recruited from the eastern states, in 1910 there was a distinct back-eddy and Missouri appears among the five states most important in this regard, with a contribution of 85,161 to the population of Illinois.

A further inquiry in detail as to which states of the union supplied Illinois with the American born stock, which flowed in almost as rapidly as the foreign born, shows that the most conspicuous contributors were the states to the east. The largest numbers came from the five states of New York, Pennsylvania, Ohio, Indiana, and Kentucky, although as just stated Missouri should be included in the list in 1910. In general the movement into Illinois followed the same lines as foreign immigration, moving with curious directness along parallels of latitude. From New York and Pennsylvania, through Ohio and Indiana, and even from Kentucky into the southern counties of the state, the movement proceeded almost straight west.

The inflow of citizens from Indiana increased steadily from 1870 to 1910 and was the only one of the chief contributing states to show a constant increase. The contributions from New York, Ohio, and Pennsylvania decreased pretty steadily from decade to decade with only a slight recovery in the decade ending with 1900, while that from Kentucky, after declining for thirty years, now shows an upward tendency. The reason for these differences is doubtless to be found in the fact that the industrial opportunities of Illinois are better than those of her nearest neighbors, Indiana and Kentucky, while they are not sufficiently different from those to be found in the other three

states to attract their citizens in increasing volume. In every case, however, the percentage of persons residing in Illinois and born in the specified state has declined in proportion to the whole native born population.

It is not possible to state in further detail in what part of Illinois the immigrants from other states settled in Illinois, except for the years 1870 and 1880, as the data on this point are not given in subsequent census reports. In 1870 the largest number from New York state settled in Kane and Winnebago counties; in 1880 in Cook and Will. For persons from Pennsylvania, Stephenson and Cook counties were the favorite objective in both 1870 and 1880. Ohioans settled in McLean and Champaign in 1870 and in Cook and McLean in 1880; Indiana residents moved to Vermilion and Champaign in 1870 and to Vermilion and Cook in 1880; while those from Kentucky settled first in the counties of Sangamon and McLean, and later in Cook and Sangamon. The fact that in four out of five cases Cook county attracted the largest number of settlers and in the fifth case next to the largest number in 1880 already indicates what probably has held true ever since, namely that Chicago rather than the agricultural counties has proved the lodestone to persons moving into the state from other parts of the United States.

Even more striking than the movement of native born Americans into Illinois has been the exodus of those born within the state to other El Dorados farther west. New as the state is, it is not so new as other states and to them Illinois has lost heavily of its sons and daughters. In 1870 and 1880 more native Americans moved to Illinois than left it, but by 1890 the tide had turned and with each succeeding decade the exodus became greater. In 1870 the proportion of persons born in Illinois and leaving the state was one-fifth, in 1880 one-fourth, and in 1890, 1900, and 1910 over one-fourth. Five states have absorbed most of these wanderers, namely: Indiana, Iowa, Kansas, Missouri, and Nebraska, though at each census period other states have appeared as temporary rivals.

In 1870 about one-fifth (19.5 per cent) of the persons born in Illinois were living outside the state, the largest number being found in Missouri (72,324); in addition to the states named above, Wisconsin and Minnesota had also received considerable contributions. By 1880 the proportion of Illinoisians living outside the state was almost exactly a quarter (24.5 per cent), most of whom were in Kansas (106,670). The situation shows clearly a strong westward movement, spilling the surplus population of Illinois over Iowa, Kansas, Missouri, and Nebraska, with smaller splotches in Texas and California and a back-eddy into Indiana.[13]

By 1890 the proportion of the native population of Illinois who have left the state is still greater (27.1 per cent); Kansas again claims the largest number (137,903),[14] but together with Nebraska (107,262), reaches in this decade the climax of its popularity, for after this the number in each of these states declines. In addition to the states listed, California and Colorado each attract growing numbers.

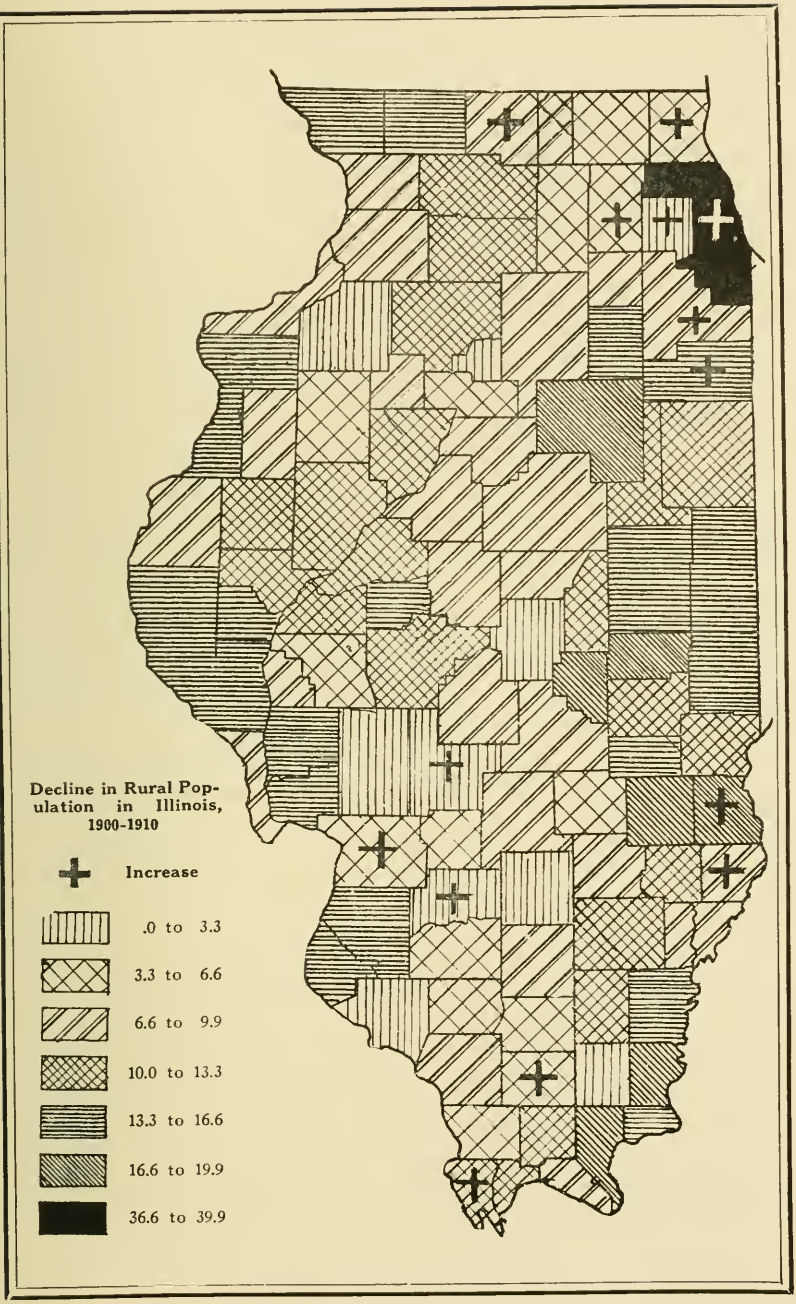
The decade ending with 1900 shows a slight decline in the proportion of the natives of Illinois who have settled elsewhere —to 25.9 per cent—though the absolute number keeps growing. Missouri (179,342) has become the most popular state. Iowa (142,234) has reached its zenith, and the continuance of the far westward movement gives to California 42,304 persons. The census for 1910 shows little change, except a strong movement to Oklahoma (71,085), while the number in California grows to 87,291.

The facts just cited leave no doubt as to the mobility of the population of Illinois. The people slip easily over the state lines, whether moving in or out.[15] This mobility is not peculiar to the state, but is and always has been a marked characteristic of the American people, wherever located. It seems to be

[13] See an excellent map in *Tenth Census of the United States*, 1:385.

[14] In curious confirmation of this fact the writer is informed by Mr. J. A. Farrand of Griggsville, Illinois, that in the early nineties, a larger proportion of the members of the Griggsville Baptist church were living in Kansas than at home.

[15] This is doubtless true also of county lines, but unfortunately no statistical data exist to prove it.


Decline in Rural Population in Illinois, 1900-1910
Increase
.0 to 3.3
3.3 to 6.6
6.6 to 9.9
10.0 to 13.3
13.3 to 16.6
16.6 to 19.9
36.6 to 39.9

somewhat more marked, however, in the case of Illinois than of most other states. For instance, in 1910 the proportion of persons in the United States as a whole who lived outside of the state of their birth was 21.7 per cent, but for Illinois it was 27.7 per cent. For the same year Illinois was exceeded only by New York in the number of persons born in and leaving the state and only by Oklahoma in the number of domestic immigrants who settled in the state.

To make the effect of this interstate migration upon the composition of the population of Illinois a little more concrete, let it be supposed that every native born person in the United States should return to the place of his birth. What would be the effect of such a home-coming upon Illinois? In 1870 Illinois would have lost 835,190 domestic immigrants, but on the other hand would have gained 288,418 natives of the state who had moved to other states; the total population would have been less by 546,772. In 1880 the loss would have been 784,775, and the gain 553,889; or a net loss of 230,886. In 1890 for the first time the number of domestic immigrants, 758,822, was less than the natives of Illinois living in other states, or 817,717; consequently the state would have gained 58,895 from an exchange. In 1900 and 1910 the same thing was true, and in these two years a universal home-coming would have netted the state 51,691 and 310,896 respectively.

These figures indicate to some extent the loss which Illinois has suffered by the emigration of her native born population; and the loss is not confined to the number of those who leave, for the descendants of those who left during the earlier decades are themselves now grown up and they and their children would have been counted in the population of Illinois, had their father or grandfather not left the state. Moreover, as the figures show only the number of those living in the given localities on the date specified, and as the number of natives of Illinois in other states has been constantly growing at each successive census, it must be concluded, in view of the mortality which must have occurred among those enumerated at the earlier periods,

that the number of emigrants from Illinois is even greater than the statistics show and that there has been a steadily increasing stream out of the state between the decennial census periods.

The facts are fairly obvious, but the causal explanation of these facts is more difficult. How can the great restlessness, the high degree of mobility of the American born population be explained? The earlier movement into the state was probably occasioned by the agricultural opportunities; in 1870 many came and few left. But 1870 witnessed the height of the movement into Illinois up to that time; the next two decades saw a decided falling off. In 1900 and 1910, however, the industrial attractiveness of Chicago more than compensated for the lessened lure of Illinois land, and the number of native immigrants increased again, absolutely if not relatively. Much of the movement into and out of the state has been merely across state lines, which often denotes a less radical change than the transfer from the farm to the city within the same state. Indiana and Kentucky contributed a considerable proportion of domestic immigrants to Illinois, while from a third to a half of those who left the state settled in adjoining states. Illinois seems to have occupied the position of a sort of halfway house, whose restless population sojourned there awhile but never really settled down.

The principal cause of the emigration of the natives of Illinois to other states farther west — whither most of them have gone — has undoubtedly been the existence of cheaper land there. With the increase of population and the filling up of the state the price of land has gone up and more careful and intensive methods of agriculture have become necessary. Many an early settler has thought it to his advantage to sell out his farm at a higher price, pocket the "unearned increment," and move farther west to cheaper land, where he could repeat the process.

But another factor, closely connected with this, has probably been even more important in inducing emigration from Illinois. For many of the early settlers and natives of the state, bred to primitive conditions, with consequent careless tillage

and a one crop system, a change in methods of farming would have proved more difficult than a physical transfer of their families and themselves to another state where they could continue the same practices. Men changed more easily than methods. Hence there may be noted a steady movement to the newer settlements, in turn, of Iowa, Missouri, Kansas, Nebraska, Texas, and Oklahoma. There, with new land, they may repeat the exploitative methods of farming which are no longer profitable in Illinois, but to which they are bound by long custom. The growing migration of residents of Illinois to California may be explained in part by the desire for a more congenial climate than their native state affords, and in part by the growing wealth of Illinoisians which permits them to gratify their inclinations in this regard.

Mere size or growth in numbers is not in itself a desirable thing. The most populous state is not necessarily the best off economically. But in the case of Illinois during the past half century the growth of population has undoubtedly responded to improving economic conditions, and has in turn stimulated the production of wealth and promoted the economic well-being of the people. The increasing concentration of the population in cities is a universal phenomenon to which Illinois is no exception, and is a result of improvements in methods of transportation and production.

In spite of the comparative newness of the state and the large immigration of foreign born, the population of Illinois is predominantly of native stock. But it has undoubtedly gained from the admixture of racial elements within its borders. The typical son of Illinois — sturdy, independent, restless even, yet conservative and loyal — shows in his composite nature some of the best qualities which have been contributed from so many diverse quarters. In its people Illinois possesses some of the best stock of the nation, whose value cannot be estimated by a mere counting of heads, but whose qualities may be trusted to maintain the state upon the proud eminence to which they have already elevated it.

II. THE GROWTH OF EDUCATION, ART, AND LETTERS

By HENRY B. FULLER

THE World's Columbian exposition of 1893 marked an era in the general development of the United States. Especially strong, of course, was its influence on the state of Illinois and on the city of Chicago. Art and its amenities were found to be desirable and necessary in the life of the people. The elaborate celebration of an important historical anniversary developed in the state a heightened consciousness of the significance and dignity of its own past. A wide and hearty union for a great endeavor of a nature largely festal and aesthetic, presently led the way to an ampler coöperation in handling the practical problems and difficulties of the times. Effects may be deep and lasting, however, without being immediate. In Chicago itself a dozen years or so were to elapse before a comprehensive plan should be formulated and announced for applying the artistic lessons learned in the White City to the needs of the city at large. A much shorter length of time, fortunately, elapsed before the administrative skill gained in the handling of a novel problem predominantly aesthetic was applied practically to the amelioration of the social and political conditions of the day.

Meanwhile the impetus communicated to educational interests proceeded with an ever-increasing acceleration. Building became active with each of the three great universities of the state. The University of Chicago, whose first halls and dormitories had been put up during the building of the Columbian exposition itself and in the same vicinity, added other halls and dormitories to meet its rapidly increasing needs: it became almost a fashion among Chicago's wealthy and well-disposed to set their names commemoratively among the gargoyles and

William R. Harper

crocketed gables of scholastic Gothic façades. The most notable group of structures erected during this time was that of the four physical laboratories ranged round Hull Court. Northwestern University, between the years 1893 and 1898, erected on its campus a succession of buildings varied in physiognomy and serving various purposes — a library, a music hall, an assembly hall, and others. The University of Illinois, under the presidency of Andrew S. Draper, aided by the friendly interest and coöperation of Governor John P. Altgeld, which was immediate from the first day of President Draper's term, also entered upon a new period of building. The state legislature of 1905 made a liberal appropriation, and there followed a library, an observatory, a president's house, a power house, and certain shops. The handsome Agricultural Building was authorized in 1898. During the decade 1891–1901 both Northwestern University and the University of Illinois established (or took over) — the former early, the latter rather later — different professional schools in Chicago.

During these same years the educational system of the state underwent a great extension, noticeably in the matter of new normal schools; and building in this direction, too, was active. The Illinois State Normal University at Normal (1857) and the Southern Illinois State Normal University at Carbondale (1869) were supplemented by three new institutions appropriately placed: the Eastern Illinois State Normal School at Charleston, and the Northern Illinois State Normal School at De Kalb, both authorized by the legislature in 1895; and the Western (or Military Tract) State Normal School at Macomb, authorized in 1899. The buildings at Charleston and De Kalb were constructed in a romantic, castellated style in consonance with the personal preferences of Governor Altgeld himself, as was a library and gymnasium building erected at Normal during the same period. The building at Macomb expressed an easy command of the classically palatial, and more recent constructions round it have heightened the effect.

During the nineties, under Dr. John W. Cook, a new spirit

developed at Normal; and its effect was felt in the other schools of the system. The endeavor was to put instruction on a basis of psychology, developing a consistent educational philosophy as a rational foundation for method; to give greater recognition to natural science and a larger place to drawing, music, and physical training; to bring about a material increase in the number of buildings; to give greater definiteness to the work of the training department; to modify courses so as to bring students of a better grade of scholarship; and to develop a shorter course for advanced students and thus increase the number of graduates. The normal university at Carbondale, by reason of its geographical situation and of the special social characteristics of the section, served in large measure the purposes of a high school; the other schools, however, have come, in varying degree, to assimilate themselves with — or to impose themselves upon — the primary school systems of the towns in which they are situated, thus finding abundant material and opportunity for practice in the detailed work of teaching.

Several technological schools were founded during this same period. In Chicago, the Armour Institute of Technology, which had originated in the Armour Mission (1886), opened its principal building in 1893. The Lewis Institute began its career in 1896. From 1897 dated the Bradley Polytechnic Institute of Peoria. It enjoyed, at its inception, the advice of the president of the University of Chicago and the services of the university architect; its Horology Hall is unique in the state. It is affiliated with the University of Chicago. In 1901, the Chicago Institute, which had profited from the direction of Colonel Francis W. Parker, was incorporated in the same institution, and the new building designed for its use was occupied in 1903. In 1898, Archbishop Spalding of Peoria, established there the Spalding Institute, a high school, with some technological features, for young Catholics.

During the two decades between the "great fire" and the Columbian exposition the public school system of Chicago kept up a regular and rapid growth. The number of pupils enrolled

rose from less than forty thousand to more than one hundred and forty thousand, and the number of teachers was more than quintupled.

The middle nineties were important years for the four great libraries of Chicago. The Newberry Library, a free library of reference, had been able, after legal delays, to begin its course in 1887,[1] under Dr. William F. Poole, and occupied its own new building in 1893. Its collection of books, pamphlets, plates, manuscripts, and maps had come to number, in 1917, some three hundred and sixty-five thousand items. The John Crerar Library was incorporated in 1894, as a free library of reference, with the design of confining itself to scientific and technical literature. Although the construction of its own building, long planned, has been delayed, a collection of five hundred thousand books and pamphlets has been brought together. The library of the University of Chicago had its foundation, or at least its nucleus, in a large purchase of books and pamphlets made in Germany. In 1917, seven hundred thousand represented the total figure of its collection. The Chicago Public Library, which had been founded in 1872 and had occupied, during a quarter of a century, varying accommodations of greater or less suitability, was established in its own new building in 1897. During the succeeding twenty years it was to put out a hundred branches and some nine hundred agencies, reaching the stage where it served twenty thousand persons daily, and annually circulated five million volumes, in seventeen languages, for home use. In 1893 was incorporated the Chicago Library Club; and in 1896 there was devised among several of the larger libraries a scheme of coöperation by which specialization was introduced and a duplication of departments avoided. In various parts of the state a growing local consciousness came to be expressed in the town libraries. Thus, the Withers Library, at Bloomington, made a special collection of the works of

[1] The death of the wife of the testator, Walter L. Newberry, in December, 1885, ultimately made a fund of two million five hundred thousand dollars available for library purposes. *Chicago Tribune,* December 11, 12, 1885.

McLean county authors. Collections of local authors were formed by the public libraries of Evanston and Galena. Knox College, at Galesburg, established a collection of the authors among its faculty and alumni. The public library of Belleville expressed the particular trend of its culture in a large collection, one-third of which was in the German language.

Though the influences of the Columbian exposition, in their widest reaches, were still reserved — as concerned Chicago — for the future, a number of interesting cultural developments, more or less immediate, may be noted, both in art and in literature. In the autumn of 1893 was incorporated the Field Columbian Museum, made possible by the gift of Mr. Marshall Field; the collection was based in large part upon the various specimens left behind by the Columbian exposition, and was housed in the extensive and beautiful Art Building of the exposition, which had been preserved for the purpose. The Art Institute received the gift of the Ryerson Library, a building which should care adequately for its growing collections of books, prints, and photographs. Between 1893 and 1895, the Central Art Association, composed of a group of artists and writers, formed collections of works of art by western men and sent them on tours through Illinois and states adjacent. In 1896 took place in Chicago the first annual exposition of the Society of Western Artists. Shortly afterwards came the revival of the Chicago Society of Artists, or rather, an amalgamation of several art societies including the Cosmopolitan Art Club, a polyglot organization which had been active during the construction period of the fair. The effect of the great scheme of mural decoration at Chicago had been felt throughout the state. In 1896, the Peoria Public Library, which had been built the year before and was to house an art club and a society of the allied arts, was decorated with a series of great panels — the work of a pair of Chicago artists, and one of the most striking manifestations of wall decoration in the state. In 1898 an extensive set of murals was painted by Professor Newton A. Wells for the stately forecourt of the Library of the University

of Illinois. During this period of building activity a state board of examiners of architects was established in 1897 at Springfield.

During the early nineties, under the encouragement of the general conditions, a literary group lifted its wings in Chicago. Novels appeared. Some of them drew on the past history of the state.[2] Others endeavored to fix the life of the place and the day as it rose. In 1895 was formed the Caxton Club, devoted to bookishness; also the characteristically-named Culture Club, besides other clubs (composed largely of women), of like aims, even if not so explicitly labeled. The year before, *The Chap Book,* first and best of a long line of miniature magazines, had been transferred from Cambridge to Chicago by a Chicago student. It enjoyed an easy command of novel European facilities and lived on in an atmosphere of increased cosmopolitanism for several years. It came to be companioned by *The House Beautiful,* which applied in such manner some of the lessons learned at the fair as to extend the amenities of house-furnishing and decoration well into home life. And so far did interest in the home outrun interest in literary culture that *The House Beautiful* became the more successful and lasting of the pair.

A cultural influence felt widely and beneficially throughout the state has been that exerted by the Illinois Farmers' Institute, established in 1895 under Governor Yates. It was designed to assist and encourage useful education among the farmers and to develop the agricultural resources of the state — among its directors the superintendent of public instruction, the professor of agriculture at the University of Illinois, and the presidents of the state board of agriculture, of the State Horticultural Society, and of the State Dairymen's Association. A network of congressional and county organizations was soon formed, with

[2] Among historical novelists who have dealt with Illinois at various periods are: Mary Hartwell Catherwood, *The Story of Tonty;* Emerson Hough, *The Mississippi Bubble;* Randall Parrish, *When Wilderness Was King;* Edward Eggleston, *The Graysons;* Joseph Kirkland, *Zury* and *The McVeys;* and Clark E. Carr, *The Illini.*

the hearty coöperation of the state's public school system and of the University of Illinois, which in a large measure led the way. Good work has been done through local meetings, held in every county once a year.

In the last decade of the century, out-of-door life and the general interest in sport entered upon new phases. Football, as at present known, came in shortly after 1890 and was well established among western universities by 1895. Each of the three large universities of the state arranged its athletic field with especial reference to football. The concrete grandstand of the University of Chicago developed interesting features in construction and in architectural style.

These same years saw the establishment of the first golf clubs in Illinois. The Chicago Golf Club was organized in 1894, and was transferred to Wheaton the next year. Clubs were organized at Lake Forest in 1895 and 1896; and the next few years witnessed the planting of numerous new clubs in other Chicago suburbs, north, south, and west. From the golf club to the country club was but a step — a natural and inevitable one. Thus rose a purely American institution, made possible by the special conditions of American society and made necessary by the demand for a larger infusion of nature in a life which was tending more and more to the urban. This type of social bacillus, once established, propagated itself rapidly; all over the state rose country clubs, the need of which was rather less imperative than for the great urban center, yet the social life of which became as rich in wholesomeness and in the general development of the amenities.

It was but a short step from the life of the country club to that of the country house. Estates began to shape themselves on favorable sites along Lake Michigan's north shore, and — in the interior of the state — along the choicer reaches of such rivers as the Illinois and the Rock. An "artist colony" on the Rock river, near Oregon, in the midst of country estates, completed its twentieth year in 1917.

All this fair superstructure had not arisen during a time

which had given no thought to the sober fundamentals. Consideration of political and social betterment were much in evidence. The Civic Federation of Chicago began its useful career in 1894,[3] though a Citizen's Association had been formed twenty years earlier. From the federation's committee on political action was organized in 1896, the Municipal Voters League which, within a few years, did so much to raise aldermanic standard in Chicago. In 1901 followed naturally the Legislative Voters League, which endeavored to do for the state legislature what the other league had done for Chicago's common council.[4] In 1903 was organized the City Club, which was to busy itself fruitfully with Chicago's municipal affairs in general. Hull House, which had been opened in 1889, was followed, in 1894, by Chicago Commons, an ameliorative institution of similar type. The settlements of Northwestern University and the University of Chicago, established in the early nineties, were incorporated in 1898. Each of these — and various others besides — had for its object the bringing of social light and social betterment into some one of the hitherto neglected districts of the city.[5]

In 1907, when the number of children in the public schools of the state had come to be close upon a million, the legislature created an educational commission, with Honorable Francis G. Blair, state superintendent of public instruction, as chairman. This body reported in 1909 a re-codification of existing school laws. In 1911 the school fund of the state was raised from one million to two million; and two years later there was an increase of another million. During the decade from 1900 to 1910 there was naturally a corresponding advance among the universities and the privately endowed colleges. With the installation of Dr. Edmund J. James at Urbana, after he had left the presidency of Northwestern for that of Illinois, an era of easier and more fruitful relations with the state legislature ensued.

[3] Bulletins and leaflets of the Civic Federation, 1911, 1913, and 1916.
[4] Bulletins of the League, 1914, 1915, and 1917.
[5] Carbaugh, *Human Welfare Work in Chicago.*

The university's widened scope and increasing prosperity were evidenced tangibly in the number and variety of buildings erected upon the campus, and near it, from 1905 onward. To pass over some of the minor structures put up during President James' first years, there may be noted the Physics Building (1908), the addition to the Natural History Building (1908–1909), and Lincoln Hall (1910–1911). An equal activity was displayed by the University of Chicago. The most noteworthy buildings erected there at about this time were the four which formed the Tower Group (1903): Hutchinson Hall, the Reynolds Club, Mitchell Tower, and Mandel Assembly Hall. Northwestern's original contribution during this period was a school of commerce (1908), sponsored by some sixty of Chicago's business men. A school of commerce and finance was also established at James Millikin University, Decatur, an institution which, superimposed on an earlier university at Lincoln, had suddenly sprung in 1903, into prominence and prosperity. This example was presently followed at Illinois and at Chicago: a college of commerce at the former, and a school of commerce and administration at the latter. During these same years there was a period of marked building activity for the Illinois Woman's College, at Jacksonville, and a general financial and constructional quickening at Knox.[6] At Illinois College the presence of a president from Chicago brought welcome aid from Dr. D. K. Pearsons, whose wide and well-known philanthropies always favored educational institutions. Rockford Seminary (Rockford College since 1892), which has always maintained an easy primacy among the women's colleges of the state, celebrated, in 1904, the fiftieth anniversary of the graduation of its first class, when an elaborate "Jubilee Book" was published by its alumnae association.

[6] In 1908 Knox, stimulated by the promise of conditional gifts amounting to one hundred thousand dollars, entered upon a campaign to secure additional contributions toward a total endowment fund of a quarter of a million. The full amount secured was two hundred and sixty thousand dollars, a sum sufficient to cover all past indebtedness and to meet all annual expenses; and the Central Church became the scene of an enthusiastic celebration. Webster, *Seventy-five Significant Years. The Story of Knox College, 1837-1912,* p. 106.

In 1899 the Illinois State Historical Society was organized at Springfield, and an act of the general assembly in 1903 brought it into organic relations with the state historical library. The society began almost at once publication of its *Transactions* and of its quarterly *Journal,* and has continued to hold annual meetings for the presentation of papers. In 1909 was formed the Illinois library extension commission; and in the same year the state art commission was organized. Such a union of activities, literary, historical, and artistic, was paralleled and continued by corresponding activities in the state legislature. Between 1901 and 1913 numerous commissions were appointed for the suitable commemoration of historical events (as the participation of Illinois soldiers at Vicksburg); for the commemoration of state governors, early or recent (as Carlin, Oglesby, and Altgeld); or for the marking or preservation of historic sites (as those of Fort Massac and Fort Edwards). The University of Illinois, working both at Urbana and Springfield, became a strong factor in the promotion of this acute historical consciousness. In 1901, and again in 1903, the state had granted small appropriations for collecting and publishing documents relating to the northwest and to the state of Illinois. In 1905, the trustees of the state historical library, influenced by the discovery of a mass of old French documents — records of Cahokia, which had been transferred to the courthouse of St. Clair county, at Belleville — organized an advisory commission composed of professors of history in six of the leading colleges and normal schools of the state; research at once became active and a series of publications edited at Urbana was begun in 1907. In the autumn of 1909 the University of Illinois decided to supplement officially the work of the state historical library, and plans were laid which led to the organization of the Illinois historical survey as a department of the graduate school. The work — that of a laboratory of state history — came to center in Professor C. W. Alvord, of the history department, with the design of facilitating research, of encouraging the production of monographs on Illinois history, and

of producing ultimately a really scientific history of the state.

One curious phase of this general movement was the transfer of the old Cahokia courthouse, dating from the eighteenth century (which had been shown at the St. Louis exposition in 1904), to the island in Jackson Park, the site of the earlier exposition in Chicago. The transfer was completed in 1906, under the auspices of the Chicago Historical Society. The upright logs of hewn walnut were reassembled under the three flags of France, Great Britain, and the United States; and the ceremony was attended by the twenty-eight judges of the new municipal court in a body. Certain furniture and documents accompanied the building itself. Another curious turn in the way of historical celebration was made possible by the retention of the three Columbus caravels in the waters of Jackson Park. For several years, intermittently, the Knights of Columbus, a Catholic organization, gave pageants on the basis afforded by these ships. In the vicinity of the still-existing facsimile reproduction of La Rabida convent, Ferdinand and Isabella often held court in suitable costuming; and Columbus, from the deck of the Santa Maria, discovered America again and again. Nor should some other dues paid the historical sense go unnoticed. In Chicago the Calumet Club for many years gave an annual old settlers' reception — as long in fact, as the club itself lasted and the old settlers remained to be received. Through many parts of the state old settlers' societies had come to be established; that of La Salle county, among others, gained some prominence. And as these faded from the scene Colonial Dames and Daughters of the Revolution came forward to give a continuing stimulus to our heightened sense of the historic past.

Still emphasizing improved transportation and communication as valuable and vital adjuncts to cultural development, one must touch upon the advance, during these years, of the motor car, the extension of the trolley, local and interurban, of the telephone, and of rural free delivery. Though the first automobile show in America was held only in 1900, the number of

cars in the state of Illinois alone has risen to more than a quarter of a million. "Highways," variously named, began to traverse the state, and plans for a comprehensive system of good roads to engage the attention of the public. During the decade 1902–1912, the mileage of Illinois' electric roads rose from fifteen hundred to more than three thousand. There was an extensive radiation of lines from Chicago and a still more notable extension of interurban service through the central counties of the state — particularly between Danville and Springfield, with extensions northward to Peoria and Bloomington, and southward to East St. Louis and beyond. During the same decade the number of telephones in use in the state rose from 428,301 to 1,689,074 — a quadrupling which spoke eloquently for the banishment of isolation from the rural districts. The system of rural free delivery had begun experimentally — almost on probation — in 1897; the postmaster-general was given a small appropriation of forty thousand dollars. In 1900 there were but 1,276 routes established throughout the whole country. In 1902, the year when a permanent organization was effected, there were 8,466; in 1904 there were over twenty-five thousand routes in operation, and the annual appropriation for 1904–1905 had risen to twenty million dollars. In the spread of this advantageous new feature of country life, Illinois profited by its proportionate share.

About the year 1900 Chicago became aware of the inadequacy of its earlier park system. This chain of pleasure-grounds and boulevards, authorized in 1869 but interrupted in its completion by the "great fire" of 1871, had long been completed and long outgrown. New parks and playgrounds were needed outside the original system — and particularly within it. A special park commission had been created in 1899, with a view to providing municipal playgrounds; and in 1905 the three park systems of the city were authorized to take steps that led, within a few years, to the creation of a triple system of small parks, for neighborhoods at a distance from the large parks. Within a few years the south park commission had opened ten

all-the-year-round recreation parks, ranging in area from three acres to sixty, and had spent five million dollars on grounds, building and equipment, field houses, gymnasia, bathing-pools and all the recently realized paraphernalia of right urban living. The project developed along lines purely original, following no outside models; it arose naturally to meet with adequacy the needs of the local situation. Within a short time the field houses became headquarters for hundreds of neighborhood clubs, social and educational; branches of the Public Library were also established in most of them. The system, once under way, spread until the south side had some twenty-five of these parks and the north and west sides almost as many more. The city's own system of municipal playgrounds and of bathhouses kept pace with the advance made by the park commissions. In 1907 was initiated the Play Festival which was promoted by the Playground Association of Chicago. The festival of 1908, held in Ogden Park, lasted all day; its three sessions — morning, afternoon, and evening — brought into coöperation two thousand young people and school children of a score of nationalities, in national costumes; their games, songs, drills, and dances drew audiences in excess of twenty-five thousand persons.

It was about this time, too, that Chicago finally struck its first full note in response to the ordered beauty of the great fair of 1893. In 1907 two clubs, the Merchants' and the Commercial, uniting under the name of the latter, took the first steps toward what became known as the Plan of Chicago — a comprehensive scheme for the rectification and beautification of the entire city, with special reference to the neglected frontage along Lake Michigan. In 1909 the mayor appointed a large commission of representative citizens to further the idea; and in 1911 the elaborate plans and perspective drawings prepared to illustrate the undertaking — the product of skilled artists and architects and the result of a notable financial outlay — were put on exhibition at the Art Institute.[7] In some aspects they

[7] Moody, *Wacker's Manual of the Plan of Chicago.*

raised, perhaps, an unattainable ideal; yet a man's reach should exceed his grasp. The plan gave a rallying point for the general aims and ambitions of municipal betterment; and though conflicting interests and powers, private and official, have interfered with the realization of its major features, encouraging progress has been made in carrying out some of its minor ones.

In 1910 appeared at Springfield the first and only number of *The Village Magazine,* the work of Nicholas Vachel Lindsay, artist and poet. In picture and in verse the author sought to awaken the state capital to its artistic delinquencies and to propel it toward better things; one symptom in the general movement.

Meanwhile, Chicago — just as it stood — had become the beneficiary of another invoker of beauty. In 1904 a wealthy lumberman, resident in the city, died; and in 1905 the Ferguson monument fund of more than a million dollars became available for the "erection and maintenance of enduring statuary and monuments . . . in the parks, along the boulevards, or in the public places within the City of Chicago, commemorating worthy men and women of America or important events in our history." The annual income from this fund was found to amount to thirty thousand dollars. The first work of art realized from it was Lorado Taft's "fountain of the Great Lakes" in Grant Park. Several years' income has been diverted to carry out an elaborate plan for the embellishment of the Midway Plaisance. A further employment of the fund was for the erection of a memorial column, with sculptured base, in one of the city's northwestern parks, designed to mark the hundredth anniversary of the admission of Illinois into the union.[8]

In 1903 the city's art lovers began to benefit from another fund. The Scammon lectures, given in annual series at the Art Institute, were due to the bequest of Mrs. Maria S. Scammon. who died in 1901. The first series was delivered by John La-

[8] Exercises at the dedication of the Ferguson fountain of the Great Lakes. September 9, 1913.

Farge; others, given by eminent painters, sculptors, and architects, have continued the series through fifteen years. The Art Institute, since the days of 1893, has grown architecturally by the addition of the Ryerson Library, the Fullerton Assembly Hall, the Blackstone Gallery, and the great central stairway—all being gifts of wealthy art-loving Chicagoans. The completion of the third of these provided the scene for a gorgeous "pageant of the Renaissance," and that of the fourth the setting for a picturesque and stirring "masque of Montezuma"—both by an art director whose skillful hand was to be felt in the various commemorative celebrations held later in Illinois, as a consequence of the revival of interest in the state's past. A Municipal Art League, organized in Chicago, in 1899, was followed a few years later by a city art commission. This, unlike the state art commission (1909), which is merely advisory, was given power to veto and has saved the city from more than one artistic calamity.

In architecture the style of the beaux arts kept its hold, but a simpler and more monumental manner came into use, particularly for the multiplying Christian Science churches. A related style has been preferred for several of the city's railway stations, built or projected.

During these years, literature in Illinois suffered a lapse. What had been looked upon as promising a "Chicago school" went down in eclipse. Instead, there came a prodigious multiplication of low-grade magazines. Many of these, gay in name and in color, came to figure prominently on the news stands; others, stated to have circulation of even greater, of almost incredible proportions, were never seen in the city which produced them and were thought to be distributed through the remoter districts of the middle west and northwest.

Music, during these years, passed through many bright phases. In 1904, Ravinia Park, some twenty miles from Chicago, on the north shore, was fully under way. Its course has continued uninterrupted, though there have been times when "saving Ravinia" became a rather poignant pastime. This

resort began with symphony concerts by organizations of the highest grade, whether eastern or western. In later years it supplemented its orchestral performances with summer opera cut to the needs of the season. Evanston, also on the north shore, became, in 1909, the scene of the first Annual North Shore Festival, an undertaking molded to a large scale and celebrated in a large building, the gymnasium of Northwestern University. Each season has brought a four-day series of performances by a vast orchestra and choruses, together with soloists of distinguished rank, all under Northwestern's musical department and its experienced head. In 1904 the Thomas Orchestra left the Auditorium, after an occupancy of fourteen years, and took up its quarters in the new Orchestra Hall, which had been built on Michigan avenue by a general subscription. The death of Theodore Thomas followed a few weeks after the change, but caused no faltering and no deterioration in the progress and the standards of the orchestra.

During the last decade the great universities of the state have continued their advances, achieving a broadened cultural scope and a general financial well-being. These advances have been evidenced, in a material and physical sense, by a continuing activity in building: at Urbana, for example, under President James, the number of buildings was increased from twenty-four to sixty. But if recent university architecture has expressed one thing more clearly than another, that thing is the great development of university life in its social aspects. More closely than ever have the social interests of the student come to keep abreast of his scholastic interests: clubs of many kinds and serving many purposes have been brought into existence; sport, with its extensive apparatus and expensive paraphernalia, has become more exigent in its demands; and the stark, devoted, barrack-like life of an earlier day has been made to assume an aspect legendary and incredible. At Urbana fraternity and sorority houses have multiplied and have become factors of increasing importance in the social life of the university

and the town. At Northwestern, in 1914, the Greek letter societies entrenched themselves in three quadrangles of fraternity houses, from which an alliance of alumni and undergraduates began to exercise a preponderating influence on the conduct of university affairs. At Illinois, the Woman's Building (1904, 1911) and the Women's Residence Hall (1916–1917) have risen to demonstrate the urbanities of life to a late and fortunate generation; while, at Chicago, the Ida Noyes Hall, erected in 1915–1916, for purposes purely social and recreational, ranks, in its luxury and splendor, almost as an educational portent.

A like trend, due allowance made, has been observable in the state normal schools. Some of these, in the absence of accredited high schools, have, under the township scholarship law, served practically as schools of that grade, or have organized academic divisions which serve the same purpose and which have attracted a large attendance of young men. At Macomb and De Kalb have recently been erected women's dormitories of superior character. Thus a thriving social life has ensued, and the activities of sport and of club life in its varieties have come to be almost as marked as at the universities themselves. The relations of the normal schools to the schools of the towns in which they have been located have tended to vary with local circumstances. Of course, young children must be secured for the laboratory method of instructing the teacher of the future. At Normal itself a town collected round the university, and the university soon came to serve in great measure the educational needs of the community it had created. Macomb has devised a partial duplication, or overlaying, of the town's own system — the ward in which the normal school is situated furnishing the elementary pupils required for the student-teachers.[9] De Kalb has arranged to have all its teaching done in the city schools themselves, using two schools of the regular eight-grade type (one in the normal grounds, the other in the city proper), where full opportunity has been provided for stu-

[9] *Military Tract Normal School Quarterly*, June, 1917.

dents to conduct classes under the eyes of critic-teachers.[10] A school like that at Macomb, housed in magnificent buildings, handsomely equipped and swarming with students of all school ages, is calculated to make the educational beginnings of the state seem decidedly meager and remote. Far, far away the days when the few early, intent students at Bloomington, in cramped and casual quarters bare of equipment, progressed slowly from candles to kerosene and from kerosene to gas, with little thought of the Argand burner and none at all of the electric bulb.[11] Yet the great light has grown, and has illumined the whole state.

The years since 1900 have witnessed a veritable revolution in the system of public instruction of the southern counties. This is evidenced chiefly through the development of high schools. Among the earliest towns to secure fairly good schools were Cairo, Mt. Vernon, and Sparta. But the real advance began with the township high school movement, a growth made practicable by a better school tax law. Centralia, Harrisburg, Murphysboro, Marshall, Du Quoin, Benton, Collinsville, Lawrenceville, and Bridgeport are among the towns that have lately come to rank high as secondary school centers. These schools are furnishing a higher grade of teachers to the elementary schools. They are sending more well-qualified students to the normal school at Carbondale and to the stronger colleges and universities. They are becoming, more and more, centers for community betterment, for short courses in agriculture and home economics, and for public lectures and discussions. They have stimulated the development of libraries and art collections and have stirred the city high schools to greater effort for efficient organization.

In Chicago, the growth of the public school system has gone on steadily, regardless of notorious controversies in the board of

[10] *Northern Illinois State Normal School Quarterly,* August, 1917.

[11] Temporary quarters had been secured for the new institution, by the state board, in Major's Hall in Bloomington where, on October 5, 1857, the school opened with a principal, one assistant, and twenty-nine pupils. Cook and McHugh, *History of the Illinois State Normal University,* p. 25. For primitive conditions, including lighting, see *ibid.,* 111.

education. In 1917 the enrollment of pupils had risen beyond three hundred and sixty thousand and the roster of teachers beyond eight thousand.[12] There were two hundred and seventy-four elementary schools besides twenty-eight others, including five technical high schools; and the immense appropriation for maintenance has risen to more than fourteen and a half million dollars. A few years earlier a large free industrial school had been opened in Pullman.

In recent years the general musical life of the state has made great advances. Several of the normal schools have established bands, orchestras, and choruses. Musical interests have been strongly active at Jacksonville, where the Illinois Conservatory of Music (merged with Illinois College in 1903) and the Illinois Woman's College (with a music hall erected in 1906) have maintained and advanced their status. Both have established orchestras and choruses, and performances of the standard oratorios and cantatas, as well as of operas, serious or light, have been frequent. And music has naturally been, always, an important interest at Jacksonville's Illinois School for the Blind. A notable building for musical uses was erected at James Millikin University, Decatur, in 1903. Here, as at Jacksonville, concerts of high quality have been frequent; and here too, a constant accession of juvenile pupils has fed the flood of the general stream. At Galesburg the faculty and students of Knox Conservatory of Music (established in 1883) have continued the tradition of church and chapel services marked by a high distinction; and at Lombard College the predominant interest in the school of three arts has been the musical interest. Of late years, Eureka, near Peoria, has been the scene of remarkable musical festivals. Thus, in the spring of 1917, a performance of the "Messiah" was given there with a chorus of a thousand voices and a director and orchestra from the music department of the University of Illinois. Illinois itself, as the result of a liberal gift, has begun the erection of a

[12] Generalized from unpublished statistics of the Chicago board of education.

notable building which will mean an era in the history of its school of music. At Springfield a college of music has been established and a full high school orchestra organized. The very active musical life of Peoria has expressed itself in amateur musical clubs and singing societies, in the presence of an exceptional number of music teachers, and in a musical college housed in its own building. The rich and genial life of Peoria has expressed itself further in a variety of social, benevolent, and protective organizations. Though incorporated as a city as late as 1845, Peoria was not slow in reaching the rank of second in the state. Besides having its fair share of turnvereins, kindergartens, and maennerchors, it has hospitably domesticated Redmen and Foresters, Elks and Eagles, Knights of Khorassan, Knights of Pythias, Nobles of the Mystic Shrine, the Order of the Eastern Star, and similar orders in wide variety — a phase of social life which has been expressed architecturally in the Mohammed Temple (1909), a structure elaborately oriental. Peoria, devoted to the lively and bizarre, has naturally become a favorite meeting-place for conventions and for social bodies intent on celebrations.

The student of applied culture may reasonably ask not only: How do you house your students and school children, but what accommodation do you provide for the stranger within your gates? Hotels through the middle west have emerged but lately from the cloud of mediocrity which dimmed so long the general life of the Mississippi valley. But in recent years hotels of metropolitan bulk and stature and of corresponding equipment have begun to rise here and there. Peoria, Decatur, Galesburg, Bloomington, and some other points in the cultural life of the state have lately bestirred themselves to welcome visitors in hostelries of the approved current type; Springfield too, where a house long noted as a center for political and social gatherings, has lately reconstructed itself on the accepted model of the day. Far, far back beyond such rotundas, lobbies, and cafés as these houses afford are felt to be the taverns and eating houses which met the simpler wants of an earlier time.

One may inquire further: What have the larger towns of the state done for the welfare and pleasure of their own citizens? In the matter of public parks much has been accomplished here and there. Alton and Peoria have developed park sites in consonance with natural opportunities — a tract of hills and valleys in the one instance, a stretch of river bluff, with wide-embracing views, in the other. Springfield has surrounded itself by a complete system of parks; and East St. Louis at least recognizes in the St. Clair county highlands above her river bottom a country-side which offers a scenic tour of high attractiveness. And the state, in 1911, established a park commission, one of the objects of which was the conservation of such natural beauties as those that surround Starved Rock on the Illinois river.

In 1916 work was begun on the forest preserve of Cook county. The project, first formed in 1904, had required repeated elections (1905, 1910, 1914), before all legal and official objections could be removed.[13] However, a favorable opinion handed down by the state supreme court finally cleared the way; in the spring of 1916 there was a large issue of forest preserve bonds, and in the autumn of that year were signed the first contracts for a considerable purchase of wooded acres lying beyond Chicago's confines.[14]

The extensive project for the improvement of the lake front, in Chicago, was marked for long delays, owing to the conflicting interests of the various powers involved; but efforts made more or less independently of these have already resulted in giving that part of the city an altered physiognomy. In 1916 Chicago opened its new municipal recreation pier which, erected at a cost of four million dollars, extends into Lake Michigan for nearly three-quarters of a mile, affords headquarters for excursion steamers, and has provided concert and dance halls, restaurants, and the like for the summer holiday throng. A

[13] Board of Forest Preserve Commissioners of Cook County, *Official Records of Proceedings; Chicago Tribune,* various issues between 1914 and 1917.

[14] A vote on a bond issue of sixty million dollars for a system of good roads throughout the state will be taken November, 1918.

mile and a half to the south has been constructed (1915–1918) the new building of the Field Natural History Museum. For this structure the late Marshall Field bequeathed a sum of eight million dollars: it furnishes central quarters for the extensive collections gathered after the fair of 1893 in the former Art Building in Jackson Park. Midway between these two great enterprises the Art Institute has recently extended itself in Grant park over the railway tracks at the foot of Adams street, and has become a repository for the paintings purchased from time to time by the society called the Friends of American Art. It has also been enriched recently by the Burnham Alcove, a collection of architectural publications which serves as a memorial of the chief architect of the Columbian exposition. In 1916, the institute, which has maintained the largest art school in the United States and the most numerously visited of American art museums, began an extension service: lectures, art exhibitions, and demonstrations of interior decoration for peripatetic use through the towns of the state and of the middle west.

The parks of Chicago, if not so large as they ought to be, have been found large enough for several golf links. Five courses have been laid out in different parts of the park system, the links at Jackson Park affording the most extensive example of municipalized golf in the country. In such of the parks as front upon Lake Michigan, bathhouses of notable extent and elaborateness have lately been constructed. Music in the parks has come to be furnished by the Chicago Band Association; maintained by a body of private citizens, the band appears in the various parks in rotation. The Civic Music Association designed to render a like service in the field houses and grounds of the smaller parks, held its first spring festival in 1915, and has given annual festival concerts of note. Summer parks of the White City type have sprung up in numbers. The peculiar towers and trestles required for the functioning of such enterprises have become familiar in many cities and towns, large and small.

The outstanding feature in the musical life of Chicago, during the past decade has been the establishment of opera as a regular and abiding feature in the city's life. The autumn of 1910 saw the opening of the first season of the Chicago Opera Association at the Auditorium. This opera, in the breadth and the detail of its organization, the standing of its principal singers, the quality of its orchestra and chorus, and the abilities of its director, has given the Auditorium rank among the really great opera houses of the world. Besides its regular performances at home, the company has given performances all the way from New York to San Francisco. More particularly, its tours through the middle west, the northwest, and the south have done much to domesticate opera in the ambitious cities of the Mississippi valley. Far, far is all this from the simple day when small troupes of singers from the remote east paused in passing, for a day or two — or passed without pausing at all.

In the drama the corresponding years have been years of protest. Chicago has been an active center for "new theaters," "little theaters," "drama players," "players' workshops," "drama leagues" and the whole flux of minor movements provoked by the degraded condition of the stage. Chicago has even seen a "college theater," devised and directed by a devoted little group of Catholic priests who, with wide fluctuations between optimism and despair, endeavored to provide decent entertainment for their self-respecting parishioners. The Little Theater, which earned a certain prominence, began its career in the autumn of 1912. More recently, the theater of Hull House which has maintained a company and has given varied performances for fifteen years or more, has begun to speak of itself as the first of "little theaters" — as the thing itself, existing years before the name for the thing came to be invented.

Many of these small movements toward theatrical reform have taken on, practically, the form and procedure of clubs. They may serve to illustrate at once the serviceability, the variability, and the inevitability of the club idea. Association, once

made familiar as a force and a method, will not be dispensed with. A new spirit is certain to produce new forms. Among clubs recently organized in Chicago for giving body to new impulses may be mentioned: the Cliff-Dwellers, a man's club formed in 1911 on a new model by practitioners, patrons, and lovers of the arts; the Women's City Club (1915) engaged, like the Men's City Club, with civic and municipal questions; the Cordon, an organization of professional and business women with centrally situated quarters; and the Arts Club, an interesting blend of professional artists and of women socially prominent. Some of these organizations, with others like them, have found place in the Fine Arts Building, an accommodating assemblage of theaters, studios, recital halls, music schools, and "art" shops.

Literature, too, goes through its changing phases with the changing years. About 1912 poetry rose suddenly as a more vivid factor in American life. In October, of that year, *Poetry: A Magazine of Verse* began publication in Chicago and the city found itself one of the chief foci of the new movement. *Poetry* was the earliest, the most radical, and the most aggressive magazine of a type since become familiar; its object has been to "exhibit" current verse — an analogy drawn, of course, from the public picture gallery. In 1916 the number of new poets discovered in Chicago, and of old ones rediscovered, made the publication of a *Chicago Anthology* a matter of ease.

The pageant, a commemorative blend of poetry, drama, history, and wide neighborly coöperation, has been cultivated in Chicago for the use and delectation of cities east and west, and also for such towns of Illinois as had felt disposed to materialize a consciousness of their historic past combined with an essay at the art of the theater. Thus, Belleville, which, in 1890, had celebrated the hundredth anniversary of the installation of Governor St. Clair, observed still more elaborately, in 1914, the hundredth anniversary of the establishment of the seat of government for St. Clair county in that town.[15] A pageant of

[15] The text of the pageant was published in Belleville. It was by Thomas

similar nature and directed by the same artists, had been held in 1912 at Edwardsville, the county seat of Madison county, with the aid of a contingent from Alton. In the same year Knox College celebrated its seventy-fifth anniversary by giving a pageant illustrative of the history of Galesburg and the college during their joint existence.[16]

But pageants are occasional, with the occasions far between; and the demand for music and drama is constant and insistent. Two developments of this latter day meet this demand — the "record" and the film. These, along with the telephone and the interurban, bring a facile participation in life to dwellers in the country and put them more nearly on a level than they could otherwise hope to be, in the matter of diversion, with the people of the cities. The first moving picture (in any close approximation to today's sense of the term) was shown in 1894; in less than a quarter of a century the invention had been developed and perfected, the immense mechanism of production and distribution had been evolved and extended, and the moving picture, as a source of entertainment and instruction — with slight regard for the infrequent visits of unworthy traveling companies — was to be found in view upon the main street of every town and village. The rise of the mechanical player has been equally sudden and its vogue equally great. Everywhere the eye and the ear, however far from urban centers, may take their share in the great sweep of life. Far away, indeed, the meager and monotonous hours of earlier years, when even holidays might be empty and when winter evenings were long.

Illinois had emerged from the Civil War a commonwealth lean, forlorn, bedraggled. Mortgages and miasma plagued the lonely, backward farmer. Eight per cent interest and chills and fever harassed his unprofitable days. There was no adequate conception of scientific agriculture. The early settlers,

Wood Stevens, of the Carnegie Institute of Technology, Pittsburg, and author of earlier pageants given at the Art Institute, Chicago.

[16] For a complete account of the Galesburg pageant see Webster, *Seventy-five Significant Years. The Story of Knox College, 1837-1912.*

if New Englanders, had followed the primitive and narrow methods of their own section; if southerners, they had been disposed by early training and inclination to hold cereals secondary to cotton. The manufacture of farm machinery had only begun. There was no proper understanding of the state's remarkable soil; no sense of the possibilities of its low-grade coals, or of its clays, or of concrete in its manifold forms; no proper employment of drainage, no proper use of fertilizers. The isolated husbandman was yet to be told of improved breeds of cattle and of bettered dairying methods; yet to learn how to combat the insect and vegetable pests that assailed him; yet to be instructed as to what were the most profitable crops and how he could increase their yield; yet to realize, in short, how a suitable type of state university could, in the words of Dr. Draper, put millions into the farmers' pockets. Modern science and a real and effective educational engine have done this. A university which, from the start, laid a strong emphasis on agriculture has had its work supplemented by farmers' institutes, local experiment stations, and demonstration trains. The advance of Illinois in general prosperity has been in large part the advance of the instructed farmer — an advance which has made Illinois the first agricultural state in the union. Its towns, too, have secured a good share of the general apparatus of amenity: school buildings and libraries, modern waterworks, well-paved and well-shaded streets. Prosperity has followed instruction; and culture — in the sense of a fuller, fairer, richer scheme of living — has followed prosperity. But such concrete facts are simply the convenient exemplifications of those processes, both complex and comprehensive, and of those results, both widely diffused and ofttimes imponderable, which have marked the transition from a past era to the present. Implicit in this progress have been the ideality of the professor, the devotion of the pastor, the ready response of the student, and the quick coöperation of the citizen in the march toward better things. And thus stands Illinois on the threshold of her second century of statehood.

III. AGRICULTURAL CHANGES

THIRTY years ago the farmers in Illinois, as in many other parts of the country, were suffering from "hard times." But since the end of the depression about 1896, the farmers have enjoyed a prosperity equalled by few other occupational groups in the state. Yields have been increased, values have gone up still more rapidly, farming practice has been improved, and improvements in other lines have made the farm a pleasanter and more comfortable place of residence. And yet in spite of these facts agriculture in Illinois has labored under many difficulties. As in all progressive enterprises problems of readjustment and change have presented themselves and pressed for solution. The one which has probably called forth the greatest amount of discussion has been the steady withdrawal of the rural population from the farms and its concentration in the cities.[1]

This is not a new movement, but it has gone on with especial rapidity in the last twenty-five years, during which period the industrialization of the state and the growth of cities were offering new opportunities and attractions to the boys and girls from the farms. As a result the percentage of the total population engaged in agriculture fell steadily, although the proportion engaged in all gainful occupations, that is at work for pay, was as steadily increasing. A century ago nine-tenths of the people in the state found employment in agriculture and in 1870 over half; but by 1890 the proportion had fallen to less than one-third, to only one-fourth in 1900, and to less than one-fifth in 1910.[2]

Not only has there been a decline in the proportion of the

[1] See above, p. 4 ff.

[2] See table in appendix, p. 493.

population engaged in agriculture from thirty-two per cent in 1890 to nineteen per cent in 1910, but the last census report actually registered a decrease in the absolute number thus occupied. The explanation of the curious condition that a greater proportion of the total population was engaged in gainful occupations in 1910 than in 1890 is doubtless to be found in the fact that as the population moves from the country to the city a larger number of persons work for a wage than would be the case in an agricultural community. The less agricultural a community becomes the more generally engaged in gainful occupations will its members be. The members of a family who do not receive money pay for their services are not reckoned in the census reports as being engaged in gainful pursuits, and this group is of course much larger in a rural than in an urban community.

While the number of persons engaged in agriculture was falling, an equally marked change had been taking place in the nationalities of the farm population. Ever since the early days of the pioneers this group has always consisted primarily of native American stock, but the last quarter century has seen a steady increase in this element, until today nearly nine-tenths of the Illinois farmers are native born. Such a movement merely parallels the steady Americanization of the state population as a whole, though in the case of the agricultural population it is strengthened by two other factors.[3]

In the first place the necessity for a large and ever larger investment of capital before one can own a farm precludes all but a small minority of immigrants from joining this group. And in the second place, as the older foreign born element dies off and their farms pass to their children who were born in this country, the latter are recorded among the native born. The proportion of the native born among the agricultural population tends therefore to become constantly greater except in so far as it may be offset by the accession of new immigrants who engage in agriculture.[4]

[3] See p. 22-23.

[4] See table in appendix, p. 493.

In spite of the stationary character of the agricultural population, the products, both field and animal, were increased greatly during this period. If the year 1840 is taken as the base and the population engaged in agriculture and the production of cereals is calculated in terms of this base, the following results are obtained:

AGRICULTURAL POPULATION AND PRODUCTION, 1840–1910

YEAR	Population engaged in agriculture	Production of cereals, bushels	Increase in cereals over increase in population engaged in agriculture
1840.....	100.0	100.0	.....
1890.....	429.2	1,503.0	1,073.8
1900.....	439.4	1,924.6	1,485.2
1910.....	429.4	1,863.2	1,433.8

From this it is seen that while the population increased about four times between 1840 and 1900, the production of cereals increased almost twenty times. In the decade following 1900, however, there was a slight falling off, due no doubt to the decline in the agricultural population. The efficiency of the persons engaged in agriculture had increased very greatly, and this increase in efficiency may be considered as equivalent to an increase in the number of agricultural workers.

To what causes shall this tremendous gain in agricultural production be ascribed? First in importance undoubtedly has been the changing personnel of the farm population. In place of the wasteful pioneer, whose extractive methods have already been outlived, has come the modern business farmer, equipped with the latest knowledge and improvements. The typical up-to-date Illinois farmer of the twentieth century has immensely broadened his outlook and increased his efficiency. It is a truism that he must be a business man as well as farmer, acquainted with markets and prices and able to apply a cost accounting system to his operations. So rapid is the march of improvements that he must keep posted also on the latest achievements of

science and practical experimentation which are brought to him in farm journals and experiment station bulletins. The younger generation is receiving ever improved technical education in high school and college. If proof were needed of the progressiveness of the modern Illinois farmer, it may be found in the improved equipment of the farm home, in the larger use of farm machinery, of automobiles, of rural telephones, and of other devices whose use is characteristic of the new farmer.

But from what has just been said it is evident that the farmer of today is "the heir of all the ages." Science and invention have contributed to equip him with labor-saving devices and farm machinery which have enormously increased his efficiency and lightened his toil. The value of farm implements on Illinois farms more than doubled in the twenty years from 1890 to 1910, increasing from $34,456,938 to $73,724,074, and this increase in total values occurred in spite of a striking decline in the price of farm machinery. But in spite of this decline the value of farm machinery to each person engaged in agriculture was 1.7 times as much in 1910 as it had been in 1860. The amount of machinery per farm worker trebled in the same interval. In 1910 this state was surpassed only by Iowa and New York in the value of farm implements.

The distribution of these improved tools and machines is by no means uniform throughout the state, about forty-four per cent being found in the northern section and seventeen per cent in the southern, while the remainder was in the central. The ratio of the value of machinery per farm in the northern, central, and southern divisions was about three to two to one. The explanation of this difference is of course to be found in the fact that most of the machinery and the most valuable machinery was found in the corn and wheat belts of the state. As these had become fairly well established by 1890 subsequent census reports have indicated very little change in the distribution of farm machinery throughout the state, although each census has recorded an increase.

The decrease to the farmer of the cost of farm machinery

is shown in the following table, which gives the changes between 1860 and 1900:

COST OF FARM MACHINES, 1860-1900[5]

ARTICLE—	1860	1880	1890	1895	1900
Cultivators, riding, 2-horse	$ 45.00	$ 45.00	$ 35.00	$ 28.00	$ 28.00
Drills, grain	90.00	70.00	52.00	48.00	50.00
Harrows, spring tooth, 16-tooth	25.00	22.00	16.00	12.00	7.00
Harrows, disc	45.00	40.00	30.00	20.00	20.00
Harvester, combined	150.00	110.00	80.00	65.00	65.00
Planters, corn, single row	20.00	20.00	16.00	14.00	14.00
Plows, walking	18.00	16.00	15.00	12.00	12.75
Plows, gang	60.00	60.00	55.00	50.00	48.00
Rakes, sulky hay	35.00	25.00	20.00	16.00	14.00
Reapers	150.00	75.00	65.00	60.00	60.00
Rollers, land or field	35.00	35.00	30.00	25.00	25.00
Seeders, with cultivators	53.00	43.00	38.00	34.00	35.00
Shellers, corn	8.00	7.00	6.00	5.50	6.00
Mowers	100.00	65.00	60.00	35.00	40.00
Diggers, potato, plain	18.00	20.00	15.00	12.00	10.00
Total cost of one machine of each kind	852.00	614.00	533.00	436.50	434.75
Cost of machinery in per cents, with 1860 as base	100.00	72.00	62.5	51.2	51.0
Value of machinery per farm worker in per cents, with 1860 as base	100.00	135.4	133.4	152.0	170.2
Amount of machinery per farm worker in per cents, with 1860 as base	100.00	188.0	213.4	296.8	333.7

The decline in the price of farm machinery seems to have been arrested about the year 1900, and between that date and 1910 prices remained stationary. Since this last date the increase in the prices of these articles has been very great as a result of the tremendous fall in the value of the monetary unit. The extent of the fall in the cost of farm machinery during the fifty years ending in 1910 may be judged by the fact that in the latter year $100 would have purchased as much as $180 would have done in 1860. At the same time there had taken place a

[5] Based on Holmes, *The Course of Prices of Farm Implements and Machinery*, 15-25.

vast improvement in the efficiency and durability of the machines that was in inverse proportion to their price.

As a result of this increase in the amount and improvement in the character of machinery the enhanced efficiency of the farm population offset the decline in numbers. Another more indirect result of the introduction of machinery may be noted. As it took men of ability to run the expensive and complicated machinery higher demands were made on the character and intellectual capacity of the agricultural population. At the same time the hard manual toil and drudgery were greatly lessened. These factors have done much to raise the standards of the farmers of Illinois.

Some of the more notable changes and improvements in farm machinery may be noted at this point, in the production of which Illinois inventors and manufacturers have had full share. It is not possible to assign credit always to particular men for the invention of a machine. Ideas were borrowed; frequently hundreds of patents have been taken out in perfecting a single machine, the few successful ones being finally combined. By 1893 most of the important machines had been pretty well developed, but improvements are constantly being made. Those which were of chief importance in the Illinois corn belt were the following: the improvements on the check row corn planters and the introduction of the edge-drop selection of Remels which was made in 1890. Although the edge-drop system is not now the most popular it had considerable influence on the development of corn planters. The idea of a corn binder and harvester is not a new one in this state. "In the early fifties there might have been seen, in Illinois, a poor old man, a homeless wanderer, known as 'Father Quincy.' He had spent his life trying to invent a machine that would cut and bind cornstalks. He was regarded as a 'crank,' but recent times have shown that his idea could be realized."[6] Not only are successful corn binders and harvesters now manufactured, but they have been introduced into general use in the corn belt.

[6] Sanford, *Story of Agriculture in the United States*, 254.

Attempts to produce shockers and shock loaders have not been so successful. Such devices have been patented and put on the market; but, while they are a partial success, they have not yet come into general use. The same thing may be said of corn pickers and huskers. These machines are still in the experimental stage, although a fairly successful picker has been developed which works well under favorable conditions.

Other improvements to be noted are the use of hay loaders, the manure spreader, the modern potato digger and crater, the wind stacker for grain threshers, grain dumps, and silo-filling machinery. After they were once put to the test of practical use, improvements on them were easily made. During the same period the orchard, garden, and field have been provided with spraying outfits, and the dairy with such machinery as the Babcock test, the cream separator, and the milker.

Probably the most important improvement which has been introduced in Illinois agriculture in recent years is the gasoline tractor. The importance of this machine lies not so much in its performance up-to-date as in the vast possibilities which it opens up for the future. The steam engine was first applied to the work of plowing and threshing, but within the last twenty years has been pretty generally supplanted by the gasoline engine. As first developed in the northwest the gasoline tractor was a large heavy-duty machine, but this failed for plowing under Illinois conditions. This was followed by the development of the caterpillar type of gas tractor, and finally by the light general purpose tractor. The last named machine has already begun to displace horses on Illinois farms to a noticeable extent.

But the usefulness of the gasoline engine is not limited to the work of plowing, cultivating, threshing, and drawing loads. "It has been set to work turning the milk separator, the churn, the silage cutter, the washing machine, the sausage grinder and stuffer, the feed and fanning mills, and the grindstone. It pumps water for the stock, for the house water tank, and for irrigation; it saws wood, shells corn, digs post holes, and drills the well. It mows the lawn, and runs the milking machine, the

vacuum cleaner, and the lathe in the work-shop. By its power the barn and orchards are sprayed with disinfectant, and the sheep are sheared. Granaries and silos may be built to any desired height and filled by means of elevators run by gasoline. Is there any limit to which this engine may not go in relieving the farmer, his wife, and their helpers from wearying muscular effort and drudgery?"[7]

The tenure of Illinois farms is a matter of growing importance, for there is an undoubted movement in the direction of an increase in tenant farming and a withdrawal of owners from active use of the land they own.[8] It may be too early to speak with certainty as to the economic and social results of this change, but as to the tendency itself there seems little doubt. In 1890 the number of farms in the state operated by tenants was 81,833 or 34 per cent of all; in 1910 it was 104,379 or 41 per cent of all. In the latter year Illinois ranked sixth among the states of the union in the percentage of tenancy among white farmers, and third if the proportion of farm acreage instead of the number of farms be taken as the criterion. Moreover the average size of tenant farms is steadily growing larger, and in 1910 they embraced forty-four per cent of the total farm acreage of the state.

The growth of tenancy is most marked in the corn belt, Ford county showing the greatest proportion of tenant farms in 1910, namely sixty-seven per cent of all farms within the county. Tenancy and specialization in cereal production seem to have gone hand in hand; in those parts of the state where the owners largely operate their own farms diversified farming is most developed. Or to put it another way, ownership has persisted in those sections where technical knowledge, capital, and managerial ability find their widest scope in farming, while in those sections where a highly specialized one-crop system prevails tenancy is most prevalent and competition among renters

[7] Sanford, *Story of Agriculture in the United States*, 259.

[8] For a full discussion of this subject see Stewart, *Land Tenure in the United States, with Special Reference to Illinois.*

most severe.[9] Owners tend to be more progressive while the tenants follow the beaten track.

In the early days the thrifty tenant might normally hope in time to become an owner and to operate his own farm. But with the steady increase in land values it has become increasingly difficult for the young man, beginning as a tenant, to purchase land of his own and thus to pass from tenancy as an intermediate stage to ultimate ownership of his farm.[10] This seems to indicate that tenancy will undoubtedly persist in Illinois agriculture as a permanent phenomenon.

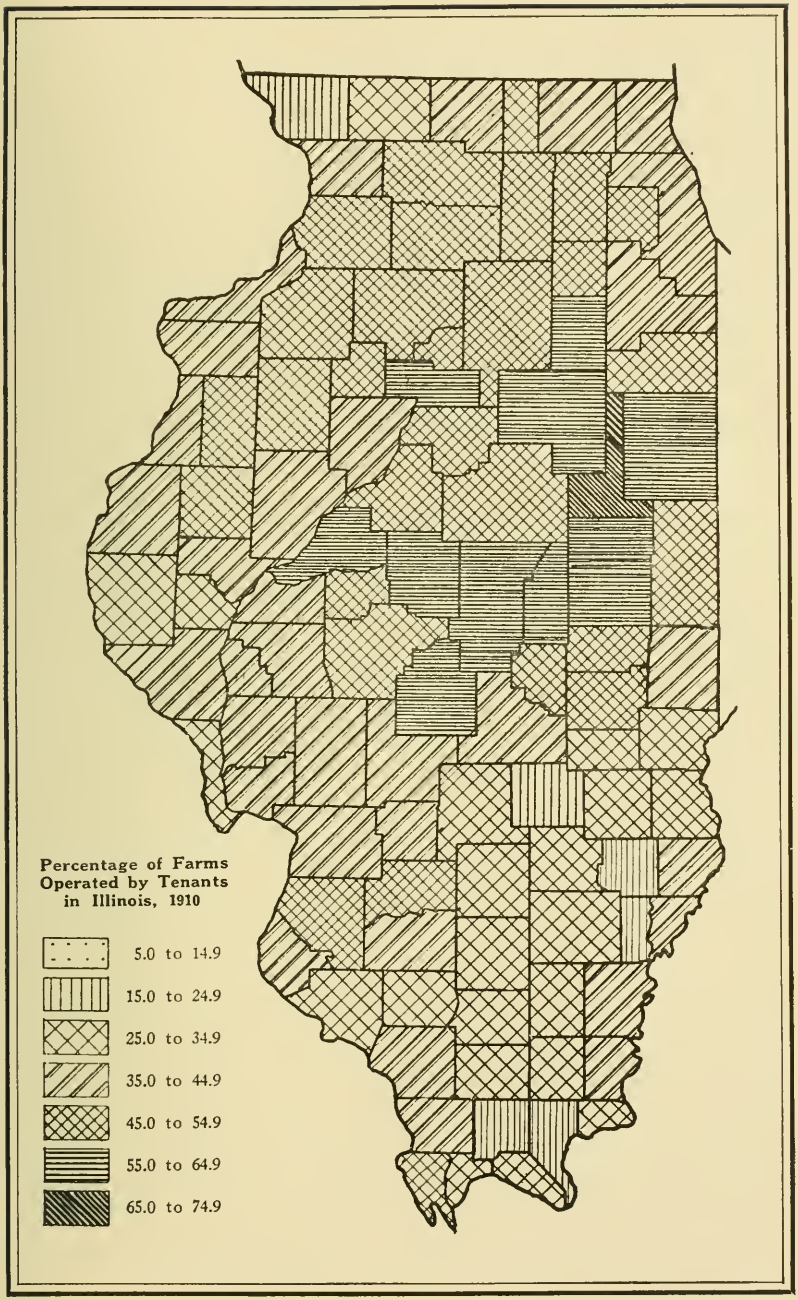
The number and size of farms in Illinois is a matter of interest, though of minor importance. The number of farms grew from 240,681 in 1890 to 264,151 in 1900, a gain of almost ten per cent, but in the following decade it fell off again to 251,872, a decline of four and six-tenths per cent. Practically all the loss in the number of farms was confined to the northern division where the tendency to consolidation was most marked and where the growing cities were encroaching on the farm area. In the southern division, where there was still considerable unimproved land, there was an increase in the number of farms in each decade. It is evident, however, that very little change in either direction may be expected in this matter in the future. The number of farms will probably remain very nearly stationary at the point which they have now reached.

The steady decrease in the average size of Illinois farms had been interrupted during the eighties so that the acreage in 1890 showed a slight gain over that of the average farm ten years earlier. During the nineties, the downward tendency was resumed, but since 1900 the farms have grown larger again until now the average size is greater than at any time since the Civil War.

More important than these points, significant though they are of changes in farming practice in Illinois, are the changes

[9] Stewart, *Land Tenure in the United States, with Special Reference to Illinois*, 81.

[10] Bogart, "Farm Ownership in the United States," *Journal of Political Economy*, 16:201-211.


Percentage of Farms Operated by Tenants in Illinois, 1910
5.0 to 14.9
15.0 to 24.9
25.0 to 34.9
35.0 to 44.9
45.0 to 54.9
55.0 to 64.9
65.0 to 74.9

which have to do with the utilization of the land as shown in the yield and in the values, both of the farms and of their products.

The amount of land devoted to agriculture within the state had declined during the latter eighties and early nineties owing to the low price of agricultural products as a result of the opening up of the northwest and of the steady fall in the general price level. But the agricultural depression ended about 1896, and by 1900 the number of acres in farms reached the highest point which it has ever attained in the history of the state, namely 32,794,728 acres. Since then there has been a slight falling off. Of this land in farms there has been a steady growth in the percentage which is improved from 84.2 per cent in 1890 to 86.2 per cent in 1910. This shows a more intensive utilization of the farm area of the state with each succeeding decade.

The decades ending in 1890 and in 1910 are the only two in the history of the state which did not witness an increase in the amount of farm acreage. By 1900 over nine-tenths of the area of the state was in farms, a record surpassed only by Iowa, Indiana, and Ohio. The most noticeable change during this period has been the rapid settling of the land in the southern division. This is due to the fact that practically all the land available for farming purposes had been taken up in the northern and central divisions by 1900; but in the southern division, owing to the rougher character of the land, there was still considerable vacant land which was brought under tillage as the margin of cultivation was pushed down and it became profitable to farm poorer lands.

If the amount of unimproved land in the state be taken another angle is obtained from which to survey the progress made. The amount of unimproved land in farms grew from 4,829,217 acres in 1890 to 5,095,509 in 1900. This is the only decade except that ending in 1860 during which the amount of unimproved land in farms increased. In both instances it probably resulted from putting land in farms faster than it could be improved. By the end of the next decade, however,

the amount of unimproved land in farms had been brought down to 4,474,614 acres, which was 13.7 per cent of the total farm lands in the state, or about one acre in every eight. Thus on the average Illinois farm of 129.1 acres there would be 17.7 acres of unimproved land, which must appear small when allowance is made for buildings, pasture, and woodland.

The unimproved lands of the northern division consist primarily of pasture lands while the unimproved lands in the other two sections, especially in the southern division, are timbered lands. During the last quarter of a century the southern division has been clearing off its unimproved land very rapidly. Today most of the land which yet remains unimproved is to be found along the Mississippi and Illinois rivers and in the Ozark ridge, where the bluffs make it impractical to cultivate the land. The extent to which the timbered land has been improved is illustrated by the fact that in 1910 the forests of Illinois were less than two-thirds of what they had been thirty or forty years before.

Closely connected with the improvement of the farm land in Illinois is the subject of drainage, for much of the best land of the state was too wet for the best use until it was tiled and drained. The use of tile drains and ditches has so greatly increased the value of the land throughout the corn belt of Illinois that this now ranks as among the highest priced agricultural land in the United States. The movement for tile drainage had started in the seventies, and by 1895 there were already 666,669,066 feet of tile drain laid in this state, or twenty-six feet to each acre of improved land. The subsequent growth was slow, but by 1915 over 750,000,000 feet of tile had been laid.[11]

While the rate of increase was slow, it was steady; and moreover the very success of the early movement left less to be done in subsequent decades. Most of the land which is today undrained consists of swamps and other difficult or low-priced lands. In 1916 there were 925,000 acres of swamp land in

[11] For table see appendix, p. 493.

Illinois, considerably less than the number in either of the neighboring states of Wisconsin or Michigan, though considerably more than in Indiana or Ohio.[12] Less than one per cent of the tiles laid during this period were laid down in the southern division.

More important for the development of the land resources of Illinois than the addition of a few thousand acres of swamp lands is the conservation of the improved land by more careful utilization and by the use of fertilizers. This state has never ranked high in the use of commercial fertilizers for the purposes of restoring the lost elements of the soil. The highest rank which Illinois has ever reached among the states of the union in the amount expended for commercial fertilizers was twentieth place which she attained in 1880 and 1900; in 1910 she ranked twenty-fourth. The largest annual expenditure for this purpose recorded for the state was $830,660 spent in 1899 Practically all this was used on the market gardens in the counties near Chicago, one-fourth being expended in Cook county alone.

Although these facts would seem to indicate little interest in the question of conserving or increasing the fertility of the soil, the farmers of Illinois have been making rapid strides in this direction by another method. The men of the Illinois agricultural experiment station have worked out a permanent system of soil fertility which is being disseminated among the farmers of the state by means of the farmers' institutes and the county farm advisory bureaus.[13] Emphasis is laid upon fertilization based upon a thorough knowledge of the soil, but scientific seed selection and careful methods of cultivation are also urged as necessary conditions to successful farming.[14]

Probably in no respect have the changes of the last twenty-five years been so pronounced as in the value of farm property.

[12] "Reclaiming Swamp Lands," *Wallace's Farmer,* 41:1562.

[13] Hopkins, "Illinois System of Permanent Fertility," *ibid.,* 41:218.

[14] See Hopkins, *The Illinois System of Permanent Fertility.* See also Hopkins, *How Not to Treat Illinois Soils.*

This has shown a practically uninterrupted growth from the first settlement of the state. In 1890 the farms of Illinois were worth almost $1,500,000,000, which was an increase of twenty-five per cent over the previous decade. By 1900 they had increased another third to over $2,000,000,000; but the greatest increase was that which occurred in the next decade, resulting in the practical doubling of the value of farm property and bringing the figures up to almost $4,000,000,000 in 1910. In this regard Illinois holds first rank among the states of the union, a position it has held since 1890.

The greatest increases in value during this period occurred in the central division, but the northern division shows the largest average value per farm. In this respect the southern division, as usual, makes a rather poor showing when compared with the other two. The census statistics for 1910 show a great concentration of farm values in the corn belt. A somewhat clearer picture of the changes here suggested may be secured by taking the average values per farm of the different species of farm property rather than the total values. These are presented in the following table:

VALUE OF FARM PROPERTY IN ILLINOIS, 1890–1910

YEAR	Average value per farm of			
	Farm property	Land and buildings	Implements	Livestock
1890.....	$ 6,140	$ 5,247	$143	$ 750
1900.....	7,588	6,684	170	734
1910.....	15,505	13,986	293	1,226

YEAR	Average value of all farm property		
	Northern division	Central division	Southern division
1890.....	$ 8,068	$ 6,909	$2,845
1900.....	10,661	9,375	3,413
1910.....	20,720	19,357	6,121

The figures of average values per farm show very clearly that the land and buildings were by far the most important element in making for the great increase in values which were characteristic of farm property in general. By 1910 the land and buildings made up over nine-tenths of the total value. Beside this the value of the farm implements and machinery and of the livestock appear quite insignificant, although they too have made notable increases in value during this period.

If the value of the land and buildings be analyzed into its two component parts, it is further evident that the value of the land is much the more important of the two. The value of farm buildings was first reported separately in the census of 1900, when it was found that the value of the buildings was 14.2 per cent and that of the land was 85.8 per cent of their combined value. The next census showed a decline even in this small proportion contributed by the buildings. Almost half of the value of the farm buildings is to be found in the northern division, due in part to the higher standard for farmhouses in that region and in part to the larger number of farm buildings necessitated by the development of the dairy cattle industry.

The increase in land values was particularly marked in the central division and in the corn belt, while it was relatively unimportant in the southern division. Indeed, the farm land in three of the counties in the corn belt, McLean, Livingston, and Champaign, was worth as much as the farm land of the whole southern division. In the northern two-thirds of the state, the land and buildings make up the chief element in the investment of an Illinois farmer. The average value of an Illinois farm in 1910 was $15,505, but for the northern division it was $20,720 and only slightly less for an average farm in the central division. It is evident, therefore, that the average farmer in this state is considerable of a capitalist.

The tremendous increase in the value of farm property during the past two or three decades reflects in a striking manner the changes which have occurred during this period in Illinois agriculture. Not only has the yield been increased by means

of improved methods and farm machinery, but an even greater increase has taken place in the prices which these products commanded in the market place. By the beginning of the twentieth century the growth of the population in the United States had caught up with the supply of foodstuffs, and there was no longer an overproduction to depress prices. At the same time there was a general rise in the price level due to increased gold production and expansion of banking facilities. Both these factors have been immensely exaggerated since the outbreak of the European war.

This rise in the value of farm products has been reflected in the value of the farms, which has gone up correspondingly and in some cases even more rapidly as the future has been discounted. The enhanced value of the land marks a change too in agricultural practice, in that the operators, especially if recent purchasers or tenants, have been forced to utilize the land as intensively as possible. This has meant in general that they have been compelled to devote more attention to field crops and less to animal products, and within the category of field crops it has been necessary to shift from hay and pasture to cereal production. Thus the value of farm products in Illinois increased from an annual average of $185,891,872 for the five years 1895–1899 to $276,924,048 for the period 1910–1914, and the proportion made up of field crops grew from 69.8 per cent to 76.2 per cent for the same years.[15]

This displacement of the animal products by the field crops was more marked in the northern and central divisions than it was in the southern. In general the broad lines of distinction between the different sections of the state were now being drawn: mixed farming in the northern division, grain farming in the central division, cattle raising and the production of horticultural and other special products for which it is particularly adapted in the southern division.

[15] For table see appendix, p. 494.

IV. PRODUCTS OF THE FARM

THE real value of the farms to the people of Illinois is not measured by statistics of number, size, or price, but rather by the yield in agricultural products. Here is the test of the efficiency of the labor, the machinery, the science, and the effort which has been applied to the soil. Tried by this standard Illinois responds nobly. The aggregate value of all farm products in 1910 was $586,517,053, and by 1917 the value of the farm products and livestock was estimated by the Illinois department of agriculture at $956,593,062.[1] Still more impressive are the statistics of amount, comprising as they do for the latter date 320,000,000 gallons of milk, 46,600,000 pounds of butter, 4,000,000 pounds of wool, 100,000,000 dozen eggs, 30,600,000 fowls, 1,000,000 cattle, 3,745,000 swine, 580,000,000 bushels of cereals, 4,300,000 tons of hay and forage, 13,000,000 bushels of potatoes, 13,600,000 quarts of small fruits, 5,000,000 bushels of orchard fruits, and numerous other smaller items. Here is enough literally to subsist an army, even of modern proportions.

Farm products may be classified into the two large divisions of field crops and animal products, and the field crops may again be divided into the four main groups of cereals, hay and pasture, horticultural, and miscellaneous. Taken as a whole the average annual value of the field crops grew from $129,890,293 for the period 1895–1899 to $518,227,210 for 1915–1917. About half of these values were to be found in the northern division. Of the four groups of field crops the cereals were not only the most important throughout this

[1] *Statistical Report of the Illinois Department of Agriculture,* December 1, 1917, p. 32. Allowance has been made by the writer for the understatement by the state board of equalization of certain items.

period, but gained steadily in relative importance, making up about two-thirds of all at the beginning and over three-quarters at the end. This growth was attended by a corresponding relative decline in the other three groups.[2] The value of the cereal crops practically doubled in the fifteen years ending in 1909, increasing from $87,005,534 to $170,880,272. The next half decade saw a slight decline, but the three years ending in 1917 saw these values again more than doubled, the average reaching the high record figure of $399,226,501.

Of the six main cereal crops, corn is *facile princeps,* and moreover its primacy among the cereals has been steadily growing. From sixty-five per cent of all the cereals in 1895–1899 it steadily grew in relative importance until in 1910–1914 it made up seventy-one per cent, but fell again to sixty-six per cent in 1917. This increased concentration upon corn meant, of course, a corresponding decline in the other cereal crops and, with the single exception of barley, their relative importance fell during this period. The greatest concentration is to be found in the central division where over three-quarters of the cereal crops, as measured by their values, consist of corn. If the number of bushels were taken as the measure the superiority of corn would be still more marked.[3]

Illinois has ranked as the leading state in the union in the production of corn since 1860, with the single exception of the census year 1890, when Iowa took first place. The concentration of this crop within a comparatively limited area is shown by the fact that since 1870 these two states together have produced over one-fourth of the corn raised in the United States. The production of corn in Illinois increased during the nineties, the acreage planted in corn reaching the high water mark of 8,199,031 acres in 1902, which yielded the largest crop in the history of the state, namely 320,977,301 bushels. Between that date and 1914 there was a steady decline both in the acre-

[2] For table see appendix, p. 494.

[3] For the changes which have occurred in the relative importance of the six main cereal crops see table in appendix, p. 494.

age and in the yield. That this was not an accidental result due to poor crops may be seen from the quinquennial averages.[4] The year 1917 has, however, established a new record of acreage planted — namely, 9,725,133 acres — and of yield, which was 365,654,400 bushels.

Since 1914 there has been a great increase in the acreage planted in corn and in the corresponding yield due to the stimulus of high prices as a result of the European war and of the inflation of our money supply. Nine-tenths of the corn crop is raised in the northern and central divisions, though the central division has in recent years been gaining somewhat at the expense of both the other two.

While most of the corn is fed to stock, a considerable proportion is utilized as food for man in the form of meal, hominy, breakfast foods, and other products. Some has also been used in the manufacture of distilled liquors and alcohol. Numerous experiments have been made to utilize corn stalks for commercial purposes, in recent years with considerable success. Some years ago the following list of products was made in Illinois from corn stalks on a commercial scale:[5] cellulose for packing cofferdams of battleships which prevent them from sinking when pierced by balls or shells; pyroxylin varnish, a liquid form of cellulose, the uses of which are practically unlimited; cellulose used for nitrating purposes for making smokeless powder and other high explosives; cellulose for packing; paper pulp and various forms of paper made therefrom; stock food; mixed feeds for stock; and poultry foods.

As might be expected in a state whose corn crop is so important the greatest attention has been paid in Illinois to the improvement of the varieties of corn and the selection of those best suited to the different sections of the state. There has gone on a continuous process of experimentation, selection, and adaptation to the needs of Illinois farmers. It may safely be asserted that the greatest contribution in corn production dur-

[4] For table see appendix, p. 495.
[5] Myrick, *A Revolution in Agriculture*, 6.

ing the past twenty-five years has been the more scientific selection of seeds and the determination of standards. While it has been found difficult in practice to fix standards, continued seed selection has gradually developed certain varieties which seem to owe their superiority to transmissible qualities rather than to transient environmental effects. It is this continued selection which has brought Reid's Yellow Dent, to name only one variety, to its present state of perfection.

The most striking change which has occurred in the cereal crops in the last twenty-five years has been the great decline in the importance of wheat. Whereas this crop made up 15.2 per cent of all the cereals raised during the half decade 1890–1894, this proportion had fallen to 8.76 per cent for 1910–1914. The decline in the production of wheat, which had begun to show itself in the eighties, became more marked as time went on. In 1880 Illinois had ranked first in the union as a producer of wheat, but by 1890 had fallen to third place and in 1900 to fourteenth. Wheat growing has always been more or less of a pioneer industry, and the center of wheat production was moving steadily westward during this period. The decline was not quite so marked in the case of winter wheat as it was in the case of spring wheat.[6]

About half of the total crop is raised in the central division and most of the rest in the southern division. The counties in those sections bordering on the Mississippi and Illinois rivers produce most of the winter wheat, though there has recently been a great increase in some of the counties in the southern division bordering on the Wabash river. Spring wheat is relatively insignificant in comparison with winter wheat. Most of it is raised in the northern division. The farmers of Illinois in general have found corn a more profitable crop or have been forced to turn from the production of wheat to diversified farming and especially to give more attention to dairying.[7]

[6] For table see appendix, p. 495.
[7] For table see appendix, p. 495.

The production of oats showed a steady decline after 1900. In that year the largest acreage yet planted in oats in the history of the state was reported, namely 4,065,200 acres, giving a banner crop of 164,909,129 bushels. After that there was a fairly steady decline both in acreage and yield to 1914. Since the outbreak of the European war, however, there has again been an increase in the attention given to this crop. The record of 1917, with 5,268,713 acres planted and a crop of 239,587,886 bushels, is not likely to be exceeded even under the stimulus of war prices. About two-thirds of the oats produced in Illinois are raised in the northern division.[8]

Although Illinois long ranked as the foremost rye producing state in the union and now is only slightly surpassed by Wisconsin, and also ranks first as a producer of barley, the yield of both these crops is small. Buckwheat has almost disappeared from view. All these minor cereal crops are concentrated in the northern division.[9]

Far behind the cereals in value and importance comes the second large group of field crops, namely the forage crops. The value of these crops remained on a fairly constant level; but this was due to a great increase in price, for the actual production fell off markedly during this period. There was a steady though a regular decline in the production of hay, the smallest yield being reached in 1914 when it was only 1,492,180 tons. This is the smallest yield with one exception in the history of the state. Since then, however, there has been a marked increase.

What was true of hay has also been true of the amount of land devoted to pastures. The smallest acreage ever devoted to this purpose in the history of the state was reached in the year 1914, but as in the case of hay the period since 1914 has seen a great increase. These fluctuations are, of course, due to the steady decline throughout this period of the cattle raising industry. Its recent revival is connected with the recent great

[8] For table see appendix, p. 496.
[9] For table see appendix, p. 496.

demand for hay as a result of the increased prices of livestock. More than half of the hay produced in the state is raised in the northern division, and most of this in the fifteen northernmost counties of the state. The pastures are more widely distributed, but here too the northern division contains over half of the pasture lands. In both groups of the forage crops, the southern division falls far behind the other two in importance.[10]

The horticultural crops constitute the third group of field crops and comprise vegetables, orchard and bush fruits, and vineyard products. Of these, vegetables far surpass the other three groups in importance. The reports of the Illinois state board of agriculture furnish detailed statistics for only four kinds of vegetables, namely Irish potatoes, sweet potatoes, turnips and other root crops, and watermelons. The addition of this last named fruit within the past twenty years is interesting as showing the possibility of its future development, for it is not yet important. Irish potatoes make up over nine-tenths in value of all the vegetables, while sweet potatoes ranked second in importance at the beginning of the period, although they were overtaken by the other root crops at the end of the period. The production of all of them fell off until 1914, since which time more attention has been paid to their cultivation.

In addition to the vegetables enumerated increasing attention has been paid to market gardening and the production of small vegetables. The chief of these, arranged in order of importance according to their acreage in 1910, are the following: sweet corn, watermelons, tomatoes, cabbages, onions, cucumbers, green peas, asparagus, muskmelons, popcorn, green beans, turnips, rhubarb, celery, carrots, beets, lettuce, cauliflower, spinach, radishes, parsnips, pumpkins, squash, and eggplant. The aggregate value of these vegetables increased from $5,304,903 in 1899 to $9,392,296 in 1909. Their production was concentrated for the most part in districts tributary

[10] For table see appendix, p. 497.

to the large cities and was accordingly centralized in Cook, Vermilion, Union, St. Clair, and McHenry counties.

The orchard fruits in Illinois consist primarily of apples, peaches, and pears, of which the first mentioned has always been by far the most important. There has recently, however, been an increase in the production of the other two which has somewhat shaken the supremacy of apples. In the northern and central divisions the orchards produce little except apples, but in the southern division there is a considerable development of peach growing, and latterly of pears.

The leading varieties of apples in Illinois in 1915 were as follows: Ben Davis (37.8 per cent of all the apples raised), Jonathan (9.3 per cent), Winesap (5.6 per cent), Grimes Golden (4.9 per cent), and Rome Beauty and Gano (3.8 per cent each).[11] It is interesting to note that Illinois' favorite is a native of the state, having been developed in Hancock county. Illinois apples are of the very highest quality and scored the very highest marks at the International exposition at Paris in 1900. They were awarded fifteen first prize gold medals, four silver medals, four honorable mentions, and a grand prize for one of the best continuous exhibits during the entire exposition. This last honor was especially noteworthy as only three of the twenty competing states were awarded grand prizes.[12]

Within the last two decades other fruits have become sufficiently important to be separately enumerated by the census. These are cherries, plums, prunes, quinces, and apricots. There has been a steady decline in the yield and value of bush fruits and berries. The census enumerates the production of strawberries, blackberries, dewberries, raspberries, loganberries, currants, gooseberries, and cranberries. With the single exception of the last named, in the case of which the acreage increased from one to ten acres between 1899 and 1909, there

[11] *Yearbook of the United States Department of Agriculture,* 1915, p. 488-489.

[12] *Transactions of the Illinois State Horticultural Society,* new series, 34: 158-159.

was a decline in every one. A similar decline must be recorded for vineyard products, though curiously enough the same period witnessed a slight increase in the amount of wine produced.

The fourth group of the field crops enumerated above comprises a miscellaneous group consisting of tobacco, broom corn, textile crops, saccharose crops, grass seeds, and legumes. As a class this group has been declining in importance in the last twenty years.

It is evident from this brief survey of the field crops of Illinois that there has been a growing concentration upon the cereal crops at the expense of the other three groups, and within the group of cereals corn has made up a steadily increasing proportion of the whole. The process of specialization, which is characteristic of manufacturing and of professional service, is also a marked feature of Illinois agriculture. Within the corn belt of this state there has been developed a specialized kind of farming which has called into being a complete apparatus of improved machinery and has resulted in an enormous production of America's most typical grain.

Not only has the production of corn encroached relatively upon the other cereals and field crops, but it has also tended to make the group of field crops more important at each successive period than the animal products. The order of nature seems to have been reversed and the corn devours even the cattle.

The animal products, the second of the two large groups into which the products of the farm may be divided, comprise animals sold, dairy products, poultry, wool, and honey. This group, taken as a whole, has remained fairly steady except for a temporary increase during the half decade 1900–1904 and again in 1915–1917. The relative importance of the several items constituting this group has, however, varied considerably.[13]

The animals sold have declined in relative importance from about two-thirds to a little over one-half of the total

[13] For table see appendix, p. 497.

value of this group. Wool and honey have also fallen off. On the other hand dairy products and poultry have shown gains. About three-fifths of the animal products are raised in the northern division of the state, especially in the northeastern corner where there is a high degree of concentration owing to the development there of the dairying and cattle raising industries.

Before proceeding to a more detailed consideration of the separate kinds of animal products and especially of the first item — animals sold — it will be necessary to note the total amount of livestock on Illinois farms during this period.[14] In 1890 this state ranked second among the states of the union, being surpassed only by Iowa, but in 1900 Texas pushed into second place so that Illinois now ranks third in this respect.

The census figures of the value of livestock in Illinois during the two decades from 1890 to 1910 give a rather misleading impression as to the changes which occurred during that period, since they seem to indicate a great growth in numbers. The aggregate value of all livestock in Illinois increased from $180,431,662 in 1890 to $308,804,431 in 1910, while the average value per farm grew from $750 to $1,226. A more accurate picture of the changes that have occurred in this regard in Illinois will be obtained by taking the actual numbers of the different kinds of animals rather than the values. For this purpose the livestock may be divided into the four main groups of draft animals, dairy animals, meat animals, and other minor animals.

Horses were the most important animals in the first group. In 1890 Illinois with 1,335,289 ranked first among the states of the union as to the number of horses on its farms, but since 1900 it has been outranked by Iowa. Horses are still used in Illinois almost exclusively for draft purposes and not for breeding so that they have always been found where farm operations have been most active. Consequently they are most numerous

[14] For table see appendix, p. 498.

in the central division. In 1910 there were 1,452,887 horses reported on Illinois farms.

Considerable has, however, been done toward improving the breeds of draft horses by the introduction of pure bred stallions. From the data given in the various stud books the distribution of registered pure bred stallions can be ascertained. These show a truly astonishing growth in the number of owners from 488 in 1890 to 3,179 in 1915, most of the increase having taken place among the Percherons. This breed was far and away the favorite at the end of this period, their number having increased from 152 to 2,280 during the twenty years. Shire horses were second in popularity and Belgians third. The Clydesdale were the only ones whose numbers fell off. The distribution of the pure bred horses was much the same in 1915 as it had been in 1890, being about evenly divided between the northern and central divisions with a very small fraction in the southern division. McLean county led in the number of pure bred Percherons, Champaign was the leading county for Shire horses, Livingston for Belgians, and Stark for Clydesdales.

In contrast with the distribution of horses, most of which were to be found in northern section, stands the greater use of mules and oxen in the southern half of the state.[15] The relative importance of mules as compared with horses and the difference between the different divisions may be seen from the fact that in the northern division on the average farm the ratio of horses to mules was 37 to 1, while in the central division it was 10 to 1, and in the southern only 3 to 1. Oxen had grown so unimportant by 1900 that they were no longer enumerated separately by the census.

Dairy cows, which had shown a very steady growth in the state down to 1890, have barely held their own since that date. The total number of dairy cows has fallen from 1,087,886 in 1890 to 1,057,000 in 1918, so that Illinois, which had previously ranked third in this respect among states of the union, has

[15] For table see appendix, p. 498.

now fallen to fifth place, being surpassed by Iowa, Wisconsin, New York, and Minnesota. The greatest decline took place in the central division. Today there is a decided concentration of the dairy business in the northern tier of counties, especially in the vicinity of Chicago, with a secondary concentration in the region opposite St. Louis. This concentration in the northern division is illustrated by the fact that there the average farmer has over three times as many dairy cows as the average farmer in the central division and over four times as many as the average farmer in the southern division. The concentration of this industry in the vicinity of our larger cities is of course due to the increasing demand for whole milk on the part of the urban population. The growth of the dairy industry in the other districts is due to the increase in the milk condensing industry and also to the butter industry in those regions.

Considerable attention has been given in Illinois to the improvement of the breeds of cattle. The two most popular breeds have been the Holstein and the Jersey cows, but within the last twenty-five years the second of these has passed the former in popularity. In 1890 there were in the state 368 herds led by at least one pure bred registered animal; but by 1915 this figure had been almost doubled, reaching 696. The Jersey herds had increased from 234 to 300, but the Holsteins had grown from 115 to 332. Far behind these two in popularity came the Gurnsey with 19 herds in 1890 and 64 in 1910. Almost half of the registered herds were to be found in the northern division, though the disparity in this regard has been gradually declining as better breeds have been introduced into other sections of the state.

All other cattle, that is all neat cattle except milch cows, calves, and oxen, are grouped together by the census report under the heading "other cattle." Beef cattle constitute most of this group. In the production of these animals Illinois has been steadily losing ground. Whereas in 1870 Illinois was surpassed only by Texas in the number of beef cattle, in 1910 it was outranked by Texas, Iowa, Kansas, Missouri, Nebraska,

California, and Oklahoma. The cattle industry has always been a frontier industry in the United States, and the same movement which pushed the industry from Ohio to Illinois has now moved it out beyond the Mississippi river. This is, of course, a perfectly natural development with the growth in the value of farm lands in this state, and their more intensive utilization for cereal production. From 1,968,654 cattle in 1890 the number sank to 1,066,275 in 1910, but has since risen slightly to 1,314,000 in 1918. The great decline of the cattle feeding business is perhaps most clearly shown by the fact that in 1910 the average farmer in the state had only about half as many cattle per farm as he did in 1890. The cattle were pretty well concentrated in the northwestern third of the state.[16]

About the beginning of this period cattle feeding in Illinois and other states in the corn belt entered upon the second stage of its development. The first stage had been that of feeding cattle as containers for corn, as this was the cheapest way in which to market the corn. In the second stage the purpose was not so much to market corn as to make good beef. Agricultural experiment stations had been working on this problem for several years. They pointed out that the younger and smaller an animal is the less will be the grain required to sustain the life-giving forces, or to run the machine, and the greater proportion will go to the building up of body tissue. More profit could, therefore, be obtained by feeding young animals than by purchasing and fattening two or three-year-old steers. This had been worked out experimentally by Professor G. E. Morrow of the University of Illinois as early as 1878.[17] But the farmers of Illinois at this time were not yet convinced of the practical value of this idea and preferred to get rid of their cattle and turn the pastures into cornland. By so doing they saved themselves the expense of costly barns, sheds, and fences which were required in raising cattle.[18]

[16] For table see appendix, p. 499.
[17] Sanders, *Story of the Herefords*, 371-380.
[18] Farley, *History of the Beef Cattle Industry in Illinois*, 13-15.

The decline in the beef cattle industry since 1895 has been the result of many causes, of which the disappearance of the free range has been the most important. Investigations at the Illinois agricultural experiment station in 1902 showed that of 509 men in Illinois engaged in preparing cattle for market, 53 per cent were merely feeders, 35 per cent raised a few of their cattle and bought the rest, while only 12 per cent carried all their cattle from birth to maturity.[19] In other words, the Illinois farmer depended for his profit upon the difference between the purchase price of lean cattle and the sale price of fat cattle. But it was becoming more difficult to obtain western cattle as a result of the rapid settlement of the west and the partition of the ranges into farms. It became necessary for the western cattle raisers to buy or rent land instead of using the free ranges of the public domain and this, of course, forced up the price of cattle, leaving little profit for the Illinois cattle feeders.

Other contributary causes in the decline of the cattle feeding industry were the replacement of livestock production by more intensive crop cultivation, the increase of tenancy, and the effect of unwarranted fluctuations in the prices offered by the packers.[20] None of these, however, is in itself sufficient to explain the changes that were taking place and certainly none is as important as the factor just described.

The third stage in the development of beef production in Illinois has now been definitely entered upon. This is the production of "baby beef." A great impetus was given this industry by the high prices which were being paid for beef. The average age of cattle sold in Illinois in 1914 was two and one-half years, which is nearly two years younger than the average had been in 1895, the reason for the decline being the large number of baby beef cattle which were sold at the age of from fifteen to eighteen months. If Illinois farmers were to profit by the high prices to be obtained from beef production

[19] Mumford and Hall, *Present Methods of Beef Production*, circular 88, p. 1.
[20] Farley, *History of the Beef Cattle Industry in Illinois*, 13-15; *Breeders' Gazette*, 64: 18.

it was evident that they must raise their own cattle, for the prices of western feeders were reaching prohibitive heights.

That Illinois is well suited to this industry seems proved by an investigation made by the United States department of agriculture on this subject.[21] From this it appears that both the gross and net cost of producing a baby beef animal during the years 1914 and 1915 was less in Illinois than in Iowa, Nebraska, or Kansas, though not so low as in Missouri.

The number of beef cattle sold from Illinois farms declined very rapidly and very materially in the period between 1900 and 1914, but owing to the great increase in the price of beef there was an actual increase in the values. It is too early to determine whether the decline in the production of beef cattle in Illinois will be arrested by the development of the baby beef industry, but it is clear that if beef production is to continue as one of Illinois' industries it must be along these lines. During the past twenty years, the cattle feeding industry has shifted more and more to the northward, the chief center of the industry being found in McHenry and the adjoining counties.[22]

Although Illinois still ranks second in the production of hogs, being surpassed only by Iowa, there has been a very decided decline in this industry also since 1890. In that year the census recorded the largest number of swine ever enumerated within this state, namely 5,924,818; by 1910 the number had fallen to 4,686,362, but by 1918 had risen slightly to 5,111,000. This reduction was quite uniform throughout the state. The extent of the decline may be measured by the fact that whereas in 1890 the average farmer in the state had twenty-five hogs, in 1910 he had only about nineteen.[23] There is a considerable and growing concentration of the hog raising industry in the territory between the Illinois, Mississippi, and Rock rivers. The explanation of the decline in the hog raising industry is undoubtedly to be found in the falling

[21] *Meat Situation in the United States,* part 3, p. 62.
[22] For table see appendix, p. 499.
[23] For table see appendix, p. 499.

off of the beef industry, for hogs are generally raised in connection with cattle, following them as they feed. As has just been stated, the raising and fattening of beef cattle is a declining industry in Illinois; and its decline has adversely affected the swine industry also.

In spite of the reduction in the numbers of hogs within the state there has been no diminution in the interest taken in the improvement of breeding. The number of breeders of pure bred swine in the state in 1880 was 518, but by 1916 this number had grown to 1,329. In the eighties the Berkshires had represented about 60 per cent of the pure bred swine, but by 1916 there had been a considerable change. In this year the leading breeds of hogs that appeared on the Chicago market made up the following estimated per cents: Duroc-Jersey, 33 per cent; Poland-China, 30 per cent; Chester White, 25 per cent; Hampshire, 8 per cent; Berkshire, 2 per cent; Tamworth and Yorkshire, 1 per cent each. This estimate may be accepted as typical for Illinois since the conditions in the neighboring states which market their hogs in Chicago are similar to those prevailing here.

The interest taken in the question of improving breeds of swine by Illinois men is indicated by the fact that they constituted twelve per cent of the membership of the pure bred swine associations in America. This is a larger ratio than that of the number of swine in Illinois to the total number in the whole country.

The decline in the number of sheep which began about 1865 continued without interruption until the end of the century.[24] Between 1900 and 1910, however, there was a slight gain. But Illinois remains relatively unimportant as a sheep raising state. The average number of sheep per farm declined in the period 1890–1910, from 3.8 to 2.6; this is a smaller number than that of any other domestic animal. A study of the distribution of the sheep shows a very distinct sheep belt which lies within a district formed by drawing the northern boundary

[24] For table see appendix, p. 500.

between Hancock county on the west and Clark on the east and the southern boundary by drawing a line from Pike on the west to White on the east. While the number of sheep in the state as a whole declined materially between 1890 and 1910, the number of those within this belt showed a slight gain.

Although there has been a decline in the absolute number of sheep there has been a very great increase in the number of pure bred flocks, that is to say flocks that were led by at least one animal that was registered in the flock books of the different breeds. Between 1890 and 1916 the number of pure bred Shropshire flocks had increased from 38 to 272. There was a decided concentration of this breed in Crawford and the neighboring counties. Other breeds showed nothing like so great an increase. The Oxford Down flocks grew only from 30 to 44, the Hampshires from 2 to 15, and the Merinos from 1 to 6, while the Southdowns showed an actual decrease from 16 to 11.

The decline in the production and sale of mutton, which began in the eighties, has continued without interruption ever since. It has been an unprofitable industry throughout the whole of this period, because corn and pasture have been worth more for other purposes than feeding sheep, which could be raised more cheaply in other states or parts of the world.

The dairy industry presents a different picture, for here the record has been one of steady increase. But while this is true of the industry as a whole, there has been a considerable shifting within the group, the amounts of milk, butter, and cheese showing a falling off, while that of cream increased.[25] On the basis of value, about three-quarters of the dairy products consist of milk; about a tenth each of butter and cream; and less than one per cent of cheese. The milk industry is largely concentrated in the northern division and that of butter and cream in the central, although the last few years have seen a considerable increase in the growth of creameries in the southern division.

[25] For table see appendix, p. 500.

The milk industry is altogether the most important branch of dairying in Illinois, but in spite of the growth of population the sales of whole milk have shown almost an uninterrupted decline from an annual average of 112,584,707 gallons for the period 1895–1899 to 81,396,353 for 1917. The reason for this is, as has already been pointed out, the introduction of separators on the farms, by the use of which the farmer was enabled to sell the cream instead of the whole milk and thereby save considerable expense in haulage. That this is the explanation rather than a lessened production of milk is shown by the statistics of milch cows, the number of which has remained fairly stationary during the last twenty years at slightly over one million animals. Two-thirds of these, as might be expected, are to be found in the northern division, the average farmer there having about three times as many as the average farmer in the central division and four times as many as the average farmer in the southern division.

The general use of the cream separator and of the Babcock milk test, according to which the farmer's milk and cream are now paid for according to quality rather than quantity, that is according to the amount of butterfat in them, has forced the farmer to pay more attention to the breeding of better grades of stock.

While the amount of milk sold in the state as a whole has fallen from an annual average of 112,584,707 gallons for the period 1895–1899 to 90,355,728 gallons for 1915–1917, the city markets have shown a steady increase. For instance the average daily milk supply of Chicago rose from 476,992 quarts in 1898 to 772,800 in 1901; by 1916 it was 1,100,000 quarts.[26] Part of this growth was due to the demand by milk condensing and oleomargarine factories, but most of it is attributable to the normal demand of an expanding urban population for whole milk for table consumption, which moreover has increased slightly during this period.

The production of butter has been steadily transferred

[26] Information supplied by the Chicago board of health.

from the farm to the factory during the past fifty years, until today only about forty per cent of the butter entering into the markets is made on the farm. In 1909, for instance, 24,570,976 pounds of butter were reported as made in factories in Illinois, while only 10,534,606 were sold from the farms. However, the total farm production was reported as 46,609,992 pounds, the amount not sold presumably being consumed by the farmers' families.[27] Each of these items shows a steady decrease, as the dairy industry has migrated to Wisconsin and other states which now supply the wants of Illinois consumers in ever larger measure.

The production of cheese, which had been steadily falling during the previous period, showed a remarkable growth amounting to almost fifty per cent in the second half of the nineties. This was due to the production of filled cheese, but the boom in this industry was short lived. The cheese industry fell off to about one-third of its previous amount, owing to the coincidence of two destructive factors. One of these was the introduction of separators on the farms, which deprived the city factories of their needed supplies of skim milk; the other was the passage of a law prohibiting the manufacture of filled cheese. There was a slight recovery during the years 1905–1909, but after that the decline set in again. Since the outbreak of the European war there has been a growth of condensaries and cheese factories in the northern division, but the experience of the past seems to indicate that cheese production is a passing industry unless some permanent changes take place.

The production of cream, on the other hand, has shown a steady and, in the last few years, a very marked growth. This has accompanied, as it has doubtless been caused by, an increase in the price of cream. The industry has always been most important in the northern division, though of recent years the southern division has begun to encroach upon it. The develop-

[27] *Thirteenth Census of the United States*, 5:489-491. The consumption by the average farmer's family is considerably larger than that of the average urban family.

ment of the cream industry in Effingham and Carroll counties and its decline in Kane county are the most important recent movements. For the state as a whole the amount of cream sold from the farms has increased from 1,056,825 gallons in 1895 to 3,098,994 in 1917. Most of this is sold to creameries, butter factories, ice cream and similar establishments.

The fourth group of domestic animals enumerated above consists of fowls. Taken as a group these showed a marked decline between 1890 and 1900, but since the latter date have increased again though not to the earlier figure. In spite of these fluctuations Illinois has maintained her position as second state in the union in the number of fowls. Chickens made up ninety per cent of all in 1890 and over ninety-seven per cent in 1910, as the other kinds of fowls are decreasing very rapidly. There were only one-fifth as many turkeys in the state in 1910 as there had been in 1890, and about one-third as many ducks and geese. So far as the Illinois farmer is a poultry raiser he exemplifies here again his tendency to concentrate upon one staple. The industry was spread very evenly over the whole state, with the central division slightly in the lead.

In this brief survey of the development of agriculture in Illinois only the half has been said. Some problems have been barely touched upon and others necessarily omitted. But enough has been written to show that there has been steady progress. It is, however, equally clear that much remains to be done if Illinois agriculture is to maintain its position and to advance in the future. New adaptations and adjustments must be made, problems of labor scarcity solved, better methods of marketing and rural credit devised, and farm life be made more attractive. To meet and solve these difficulties reliance must be placed largely upon education. Much has already been done in this direction. Science has been applied to agricultural problems, experiments carried on in experiment stations, the results disseminated among the farmers by means of bulletins, extension work, and conferences. Experts are being placed in the counties as advisors to the farmers. The number

of students in the state college of agriculture is steadily growing, and an increasing number of the graduates is going back to the farms equipped with a knowledge of scientific agriculture. Agricultural education is also being carried down into the secondary schools, and several hundred high schools in the state now give courses in this subject. To the boys and girls thus trained the future of Illinois agriculture may safely be entrusted.

V. MANUFACTURES

ILLINOIS was the third manufacturing state in the union in 1893. Only a few years before it had been counted as a purely agricultural state and its citizens classed as farmers rather than factory operatives; in 1893 it ranked with the oldest manufacturing states in the country as a great industrial commonwealth, whose claim to economic preëminence rested not merely upon its fertile soil but also upon the ability of its workers to transform the resources of forest and field and mines into articles of utility and enduring worth. This high rank in manufactures was, however, ascribable in large measure to the preëminence of the state as a producer of foodstuffs and to its location in the corn belt, for three out of the first five manufacturing industries were closely linked with agriculture, and in the not far remote past had been carried on upon the farm rather than in factories.

The following list comprises all manufactures which produced in 1890 products valued at $5,000,000 or more, in the order of their importance:

LEADING MANUFACTURES IN ILLINOIS, 1890

INDUSTRY —	Value of products
All industries	$908,640,280
Slaughtering and meat packing, wholesale	200,414,531
Liquors, distilled	51,996,737
Foundry and machine shop products	38,898,114
Flour and grist mill products	37,974,885
Iron and steel	37,173,405
Clothing, men's, factory product	33,626,441
Agricultural implements	24,609,660
Lumber, planing mill products, including sash, doors, and blinds	20,468,903
Carpentering	20,392,422
Printing and publishing, newspapers and periodicals	17,348,845
Cars, steam railroad, not including operations of railroad companies	17,117,223
Masonry, brick and stone	15,792,212
All other industries (not listed)	15,428,884
Printing and publishing, book and job	14,555,068
Furniture, factory product	14,406,835
Liquors, malt	13,664,046

LEADING MANUFACTURES IN ILLINOIS, 1890—continued

INDUSTRY —	Value of products
Clothing, men's custom work and repairing	13,556,581
Cars and general shop construction and repairs by steam railroad companies	12,208,617
Slaughtering, wholesale, not including meat packing	11,876,851
Soap and candles	9,857,550
Coffee and spice, roasting and grinding	9,367,983
Carriages and wagons, including custom work and repairing	9,041,725
Bread and other bakery products	8,832,725
Boots and shoes, factory product	8,756,824
Leather, tanned and curried	8,240,803
Cheese, butter, and condensed milk, factory product	8,004,991
Tobacco, cigars, and cigarettes	6,942,185
Tinsmithing, coppersmithing, and sheet-iron working	6,827,538
Plumbing and gas fittting	6,455,007
Clothing, women's factory product	6,422,431
Brick and tile	6,399,492
Painting and paper hanging	6,201,553
Iron work, architectural and ornamental	5,438,026
Gas, illuminating and heating	5,204,206
Lumber and other mill products from logs or bolts	5,090,940

The great preëminence of the slaughtering and meat packing industry is somewhat misleading, for its large total included a disproportionate cost of materials, amounting in this case to $170,000,000. If the order were based upon the net value, after deducting the value of materials, which alone is properly attributable to the process of manufacture, distilled liquors would rank first with a net product of $48,000,000, while meat packing would sink to second place with only $30,000,000 to its credit. But the figure for distilled liquors is also somewhat misleading, for in 1890 there was a federal excise tax of seventy cents a gallon on distilled liquors, which was responsible for fully two-thirds of the value here attributed to the process of manufacture. Other leading industries would rank in the following order, according to the criterion of value added by manufacture: foundry and machine shop products, men's clothing, agricultural implements, printing and publishing newspapers and periodicals, carpentering, book and job printing, malt liquors, planed lumber, furniture, iron and steel, railroad cars. This list brings clearly to the front the "pure" manufactures which depend for their value upon the processes which transform the crude raw material into finished goods, in most cases ready for the ultimate consumer. Upon the develop-

ment of these factory industries alone Illinois could safely rely for her high rank as a manufacturing state.

During the next decade from 1890 to 1900, there was a rapid expansion of manufactures in spite of the long period of depression within the decade. The years 1897–1900 were years marked by a particularly rapid development. The population increased during this decade twenty-six per cent, but the number of manufacturing establishments almost doubled and the number of wage earners engaged in manufactures, the value of the products, and other significant items indicating industrial expansion all showed a growth much more rapid than that of the population.[1] On the whole the changes seemed to point to a general growth of small and moderate sized establishments and to their dissemination throughout the state.

The next decade from 1900 to 1910, revealed no slackening in the manufacturing development thus begun. The percentage of increase of practically all items given by the census in connection with manufactures was greater than in the previous decade. There was one significant exception — the number of establishments showed a much smaller growth. This fact, coupled with the great expansion in other respects, indicates what is undoubtedly the case, that there was less of a tendency during this period to build new plants than to strengthen and enlarge the existing ones. The tendency toward large scale production was already manifesting itself vigorously.

During the five years from 1910 to 1914, when the last census investigation of manufactures was made, there was a falling off in about two-thirds of the items.[2] The total number of establishments remained almost stationary, while the persons engaged in manufactures increased only ten per cent. Although the latter year was in some respects a rather abnormal year, the position which Illinois has attained as a manufacturing state is best indicated by selecting this date for fuller statement.

[1] See appendix, p. 501.

[2] *Census of Manufactures: Illinois*, 1914.

In 1914 Illinois was more of an industrial than an agricultural or a mining state. In this year the value added to its products by manufacturing was $907,139,412, while the value of its agricultural products in 1910 was $586,517,053, and of its mineral products $76,658,974. Illinois ranked third among the 49 states and territories as a manufacturing state. It also ranked third as regards population, with 5,986,781 persons, of whom 617,927 or 10.4 per cent were engaged in manufactures.[3] Almost two-thirds of the population lived under urban or semiurban conditions, as 61.7 per cent of all lived in incorporated places having twenty-five hundred inhabitants or over. Illinois was well supplied with agricultural raw materials, with coal for power, and with a large labor force. The state was also provided with excellent transportation facilities: in 1914, there were 152 railroad companies having lines within the state, and nearly every county was traversed by one or more railroads, many of them trunk lines running into Chicago or St. Louis. There were approximately 12,000 miles of main track of steam railroads in the state, besides over 1,500 miles of electric railroads.[4] In addition to these ample railway facilities, the state has the advantages of cheap water transportation afforded by the Mississippi and its navigable tributaries, and by the Great Lakes. Access is thus afforded to an unrivaled market, consisting of a prosperous and well-to-do agricultural population, with a high standard of living and a willingness to spend.

The great progress made in manufactures cannot be shown better than by listing the leading manufacturing industries. In 1914 there were 124 such industries in the state, each of which reported products to the value of $1,000,000 or over. The aggregate value of all manufactures reached the enormous total of $2,247,322,819 or almost two and one-half times as much as the products of twenty-five years before. It will be impossible to enumerate all these but the list of those only

[3] *Estimates of Population of the United States,* 15.

[4] *Report on Statistics of Railways in the United States,* 1914; *Report of the Railroad and Warehouse Commission,* 1913.

which produce over $20,000,000 worth a year is an impressive one and shows the leading lines of manufactures in the state.

LEADING MANUFACTURES IN ILLINOIS, 1914 [5]

INDUSTRY	Number of establishments	Average number of wage earners	Value of products	Value added by manufacture
All industries	18,388	506,943	$2,247,322,819	$907,139,412
Slaughtering and meat packing	98	31,627	489,230,324	77,215,741
Foundry and machine-shop products	1,371	55,261	141,328,624	80,722,363
Printing and publishing	2,722	32,838	112,833,427	79,555,812
Clothing, men's, including shirts	604	35,119	89,144,448	47,833,982
Agricultural implements	73	19,556	65,337,663	32,460,102
Iron and steel, steel works and rolling mills	25	15,408	64,995,121	25,057,057
Cars, steam-railroaded, not including operations of railroad companies	23	18,000	61,315,638	20,886,871
Liquors, distilled	7	855	51,596,022	42,989,814
Flour mill and grist mill products	406	2,398	49,493,224	6,652,317
Electrical machinery, apparatus, and supplies	142	16,483	45,667,456	26,288,292
Bread and other bakery products	2,278	10,404	45,250,060	21,611,189
Lumber and timber products	618	14,870	42,064,008	17,939,874
Cars and general shop construction and repairs by steam-railroad companies	94	28,682	41,496,130	23,177,666
Liquors, malt	89	5,749	39,435,995	29,029,593
Furniture and refrigerators	283	13,766	32,999,567	17,286,793
Gas, illuminating and heating	75	3,890	28,170,560	20,135,071
Tobacco manufactures	1,622	7,653	26,036,729	15,982,887
Iron and steel, blast furnaces	5	1,450	25,861,528	4,067,381
Copper, tin, and sheet-iron products	508	7,445	24,815,389	10,990,536
Paints and varnishes	72	2,110	24,488,449	9,011,951
Confectionery	147	5,009	22,138,559	10,043,926
Coffee and spice, roasting and grinding	34	1,193	22,044,588	4,950,998
Butter, cheese, and condensed milk	267	1,755	21,792,220	3,556,588
Soap	27	2,144	21,420,035	6,167,142
Clothing, women's	241	8,113	20,750,550	9,531,354

[5] *Census of Manufactures: Illinois*, 1914, p. 4.

If this list is compared with that for 1890[6] several changes may be noted. In the first place there has been a great increase in the value of the product of the leading industries: whereas in 1890 there were only 34 industries which turned out $5,000,000 or over, in 1914 there were 53 such industries. Part of this increase in value must, however, be credited to the general rise in prices during this period.

In the second place there has been a shift in the order of importance. Slaughtering and meat packing still retains its primacy, but foundry and machine shop products have moved up from third to second place, while distilled liquors, which was previously second, has now sunk to eighth place. Printing and publishing has moved up from tenth to third, and men's clothing from sixth to fourth place. Agricultural implements stands in fifth place instead of eighth, while iron and steel has sunk to sixth place; flour mill and gristmill products fall from fourth to ninth position. In general there is observable a tendency for the industries which are most typical of the factory system to forge to the front at the expense of those whose value depends largely upon the cost of materials incorporated in them.

This is very clearly shown by comparing the rank of industries when based on the value added by manufacture with their rank in the fourth column of the table, which is determined by the gross value of products. According to their rank as pure manufactures, based on the net value of the products, the order of the first ten industries would be as follows: foundry and machine shop products, printing and publishing, slaughtering and meat packing, men's clothing, distilled liquors, agricultural implements, malt liquors, electrical machinery, iron and steel, and cars and general shop construction. In those industries in which the manufacturing processes are comparatively simple or are carried on largely by the aid of machinery, the value added by manufacture is of course small, and these industries consequently do not rank so high when judged by this criterion.

[6] See above p. 91-92.

This is especially noticeable in such industries as the flour mills and gristmills, blast furnaces, roasting and grinding of coffee and spice, and the butter, cheese, and condensed milk industries. In all these the value of materials figures largely in the value of the finished product.

It is noteworthy that in four of the manufacturing industries enumerated above Illinois holds first rank among all the states. Slaughtering and meat packing is not merely the leading industry in Illinois, but this state holds the undisputed primacy as compared with others and produces almost one-third of the national output. The other industries in which this state holds first rank are agricultural implements with over one-third of the nation's total, distilled liquors with about one-quarter, and railroad cars. Second place is held in printing and publishing. It is clear that the growth of manufactures in Illinois rests upon a substantial foundation of natural resources and favorable location which offer a guarantee for their permanence and further growth.

So rapid has been the industrial development, however, and so difficult have been some of the problems of adjustment that certain evils have inevitably developed, especially in the city of Chicago. Problems of housing, and congestion outside the factories, problems of hours and pay, of safeguarding health, life, and limb within the factory, of workmen's compensation, of organization of labor, of sweat shops and child labor — these and many others have pressed for solution and have been met with varying degrees of success. The dominant note of Illinois manufactures in the past has been a vigorous, at times almost a ruthless, purpose to succeed. While this spirit has brought Illinois to the forefront as an industrial commonwealth it has sometimes been at a great cost when measured not merely in materials or money, but rather in human suffering. With the achievement of assured success, however, there is evidenced in recent years a more humanitarian note, which has responded to an awakened social consciousness and is doing much to remedy existing abuses.

Among the problems for which thus far no satisfactory solution has been found is that of unemployment, and of irregular and seasonal employment. This seems bound up in the nature of certain industries and is due to variations in demand, seasonal changes, and similar factors. But there is undoubtedly a certain amount of avoidable instability in the labor market, which might be overcome by a better organization of industry. Taking all the manufactures of the state together in 1914, the maximum number of employees in any month during the year was 521,752, the minimum 483,275, or a difference of more than 38,000 persons. Thus it is seen that in Illinois, as in other industrial communities, the phenomenon of unemployment, one of the evils growing out of the modern industrial system, has made its appearance.

The general tendency toward large scale production and the concentration of industries in large establishments is also exemplified in Illinois. Before combination or concentration of industry could be carried very far several conditions favorable to its growth had to be met. Among these were the standardization of machinery and methods, the creation of adequate accounting systems, the development of the corporate form of organization, the organization of stock and produce exchanges, the perfecting of the telegraph, telephone, and typewriter, and, most important of all, the building and organization of railroads. It will later be pointed out how well supplied Illinois was with adequate rail and water transportation facilities.[7] With their growth, and that of improvements in means of communication, there has gone on a steady widening of the market and consequently an expansion of the business unit.

There has also been a steady growth in corporate ownership and in the corporate form of organization of manufacturing enterprises. In 1873 there were only 1,090 corporations of all kinds in Illinois, of which 578 were located in Cook county; only four counties in the state had as many as 25 corpo-

[7] See chapters VI and VII.

rations. By 1914, out of the 18,388 manufacturing establishments listed by the census — which includes only those under the factory system — 5,993 or 32.6 per cent were under corporate ownership, while 16.8 per cent were firms, and 50.6 per cent were carried on by individuals.

The connection between the corporate form of organization and large scale production is indicated by the fact that while only 32.6 per cent of the manufacturing establishments were corporations, they employed 86.2 per cent of all the wage earners and turned out 90 per cent of all the products. The growth of corporations and of concentration in production have gone on hand in hand. The industries with the largest percentage of establishments under corporate form of ownership in Illinois in 1914 were agricultural implements, automobiles, foundry and machine shop products, furniture and refrigerators, paint and varnish, and slaughtering and meat packing.[8]

The extent to which large scale production dominates manufactures in Illinois is shown by the fact that while there were in 1914 only 336 establishments out of 18,388 in the state which produced $1,000,000 or over in value of product, yet these few establishments, constituting less than two per cent of all, employed over two-fifths of all the wage earners (43.9 per cent) and turned out three-fifths of all the products (59.7 per cent). This tendency to concentrate in fewer establishments, but of larger size, has been in evidence since the eighties, but has been greatly accelerated during the last two decades. It is most marked in the case of agricultural implements, automobiles, the tanning, currying, and finishing of leather, the paint and varnish industry, and slaughtering and meat packing. In every one of these industries over half of the establishments reported products valued at over $100,000 each.

A better index of concentration in large scale establishments even than the output is the number of employees. If this test be applied it is discovered that in 1914 there were forty-six establishments in the state which employed over 1,000

[8] See appendix, p. 502.

wage earners each. There were nine slaughtering and meat packing plants; six steam railroad repair shops; five steel works and rolling mills; four car manufacturing concerns; four factories for men's clothing; three agricultural implement factories; two clock and watch factories; two electrical machinery establishments; one boot and shoe factory; one furniture and refrigerator factory; one gas plant; one gas and electric fixture establishment; one piano and organ factory; one printing and publishing house; besides two not specified. The importance of these forty-six plants is seen from the fact that they employed 115,247 persons, or 22.7 per cent of all the wage earners engaged in manufactures in the state.

The causes which have brought about this concentration of manufactures into large and even larger establishments have been the existence of certain advantages which large scale production possesses. The operation of a business on a large scale permits the use of expensive and complicated machinery, its constant employment, the minute division of labor and consequent specialization of each worker, the employment of more skilled management and superintendence, the utilization of by-products, the economical purchase of the raw materials, and the advantageous marketing of the finished product. Under modern methods of machine production a well-equipped factory requires a large investment in expensive machinery and plant, and in these industries the size of the most efficient business unit is necessarily large.

One of the most striking economies in large scale production is the utilization of by-products which in small establishments are wasted. This has been carried farthest in the slaughtering and meat packing industry, but it is also practiced extensively in the iron and steel, woodworking, paper, leather, distilling, and other industries.

It must not, however, be imagined that all industry is carried on upon such a large scale. There are still many small establishments scattered throughout the state. For instance, 2,613 establishments reported no wage earners in 1914, the

proprietor himself performing all the labor. This was particularly marked in the bakery, printing and publishing, and tobacco industries. In addition to these there were 9,039 establishments with from one to five persons employed, the same three industries again predominating. Somewhat over one-third (33.5 per cent) of all the manufacturing establishments in the state reported products for the year of less than $5,000, and another third (32.1 per cent) produced between $5,000 and $20,000 a year.

The industries reporting the smallest output per establishment were the manufacture of leather goods, printing and publishing, the manufacture of patent medicines, the manufacture of copper, tin, and sheet-iron products, and the manufacture of carriages and wagons. In each of these industries more than seventy per cent of the establishments reported products valued at less than $20,000 for the year 1914. The small concerns are to be found principally in the southern part of the state but may also be met with in the central and northern divisions. There is consequently no reason to assume that individual initiative is in danger of being crushed by big business in Illinois or that there is no scope for the enterprise and energy of the man with small capital. Indeed many of the industries for which the state is today famous have had just such humble beginnings.

Paralleling the tendency to concentrate manufacturing processes in large establishments, there is also observable in Illinois a tendency for manufacturing establishments to localize in particular districts. While sometimes the choice of a location seems to be fortuitous, it will usually be found to have been determined by economic forces. That place which can offer the greatest advantages — nearness to materials and markets, adequate transportation facilities, an abundant labor supply, and other factors — is the one where the new establishments will be located. Moreover since most of these conditions are most satisfactorily met in the cities, it is in these places that manufactures have developed most rapidly.

In Illinois the city of Chicago is the unrivaled center of industry by right of every economic advantage. Not only is Chicago the most important manufacturing city in Illinois, but it ranks second only to New York City among the cities of the United States. Its manufactures were valued at $1,483,498,416 in 1914, or two-thirds of those for the whole state. Indeed there were only four states outside of Illinois whose total product exceeded that of this city, namely New York, Pennsylvania, Massachusetts, and Ohio. The list of industries to whose presence Chicago owes its industrial preëminence is practically identical with that for the state at large, already given. Altogether the census lists 274 separate industries for this city.[9]

Peoria holds second place in the state in the value of manufactures, reporting products valued at $64,689,045 in 1914. The leading industry in the city is distilled liquors, the four distilleries situated there turning out about one-fifth of the total product of the country; others of importance are slaughtering and meat packing, printing and publishing, the manufacture of agricultural implements, paper and wood pulp, malt liquors, cooperage, cordage and twine, food preparations and bakery products.

Joliet holds third place among the manufacturing cities of Illinois, with an output of $30,091,415, a considerable decrease from that of five years earlier. The operations of steel works and rolling mills and of blast furnaces, and the manufacture of coke and wire, were the chief industries.

East St. Louis showed the greatest growth of any city in the state in the output of manufactures during the past decade. In 1914 these amounted to $26,904,565. The principal industries were flour mills and gristmills, chemicals, slaughtering and meat packing, rolling mills, foundries and machine shops, paints, and steam railroad repair shops.

Rockford ranked fifth in value of manufactures, with $26,371,219, but second in the number of employees. This city has a great diversity of manufactures, but the furniture factor-

[9] See appendix, p. 502.

ies, knitting mills, and foundries and machine shops furnished employment to more than one-half of the wage earners.

Moline is well known on account of the large number of plows manufactured there. Four establishments manufacturing agricultural implements overshadowed everything else, producing almost half of the manufacturing output for the city, which totaled $19,925,106. The manufacture of automobiles and carriages and wagons are also among the leading industries.

There were eight other cities in the state in 1914 which reported manufactures in excess of $10,000,000. These were as follows in the order of their importance, together with their leading manufactures:

Granite City — rolling mill products, glucose, Babbitt metal and solder, stamped and enameled ware, and tinware.

Chicago Heights — rolling mill products, foundry and machine shop products, railroad cars, and chemicals.

Alton — flour, glass, and slaughtering and meat packing.

Waukegan — rolling mill products, food products, gas, leather.

Decatur — railroad car repairing, plumbers' supplies, and starch.

Springfield — flour, boots and shoes, watches, zinc, agricultural implements, zinc smelting and refining, printing and publishing, electrical machinery, and malt liquors.

Aurora — railroad car repairing, foundry and machine shop products, corsets, and builders' hardware.

Elgin — watches, printing and publishing, condensed milk, and watch cases.

There are four or five manufacturing industries in which Illinois holds such preëminent rank that a somewhat fuller treatment is demanded for them. These are slaughtering and meat packing, iron and steel, car building, agricultural implements, and printing and publishing.

Slaughtering and meat packing is not only the most important manufacturing industry in Illinois, but this state leads all

others in the magnitude of its operations in this line. Under this head are included only establishments engaged in slaughtering cattle for the wholesale trade and in curing or packing meat for the wholesale market.[10] In Illinois, where most of the product is destined for a distant market or for export, the packing industry is more important than the slaughtering industry alone, but both are usually conducted by the same establishments.

The most striking features in this industry are its concentration in large establishments and the utilization of the by-products. The tendency toward large scale production has been marked from the beginning and has apparently not yet come to an end. The number of establishments in the state actually declined between 1889 and 1914 from 81 to 70, although the value of the products grew for the same years from $212,000,000 to $485,000,000 and the number of wage earners from 17,932 to 31,315.[11] The average establishment was of course much larger at the end of this period than at the beginning. In 1914 almost 84 per cent of the wage earners in this industry were at work in establishments employing over 1,000 wage earners each.

This concentration of the industry in a few hands has been greatly stimulated by the utilization of more and more of the by-products. Until comparatively late years little attempt was made to utilize the waste products of the *abattoir*. In fact the disposal of the waste material was a source of expense; but

[10] The livestock trade is described in chapter IV.

[11] The following table shows these facts for each census period from 1889 to 1914.

SLAUGHTERING AND MEAT PACKING IN ILLINOIS, 1889–1914

YEAR	Number of establishments	Number of wage earners	Value of products
1889	81	17,932	$212,291,382
1899	64	27,861	288,671,779
1904	68	26,953	318,201,253
1909	75	26,344	389,594,906
1914	70	31,315	485,362,180

gradually industries grew up, producing glue, tallow, soap, and fertilizer from the waste products of the slaughter houses. With increasing competition the packing houses gradually absorbed these industries and developed new ones, until today the utilization of what was formerly waste affords a substantial profit. The aim is that nothing shall be wasted, and this laudable ambition seems pretty fully realized.

In 1903 the inevitable tendency toward combination asserted itself, and the leading packing houses of Armour, Swift, and Morris organized the National Packing Company. The method of combination was first by purchase of some seven smaller concerns by the three firms just named, and then the organization of a holding company.[12] Voluntary dissolution of this company was affected in 1912 by the distribution of its property and assets on the basis of stock holdings, in accordance with which Swift and Company took over about 46 per cent, Armour and Company about 40 per cent, and Morris and Company the remaining 14 per cent.

There are relatively few industries with capitals reaching into the millions, in which, as in the case of the leading packing houses, the founders and their heirs have remained active heads of the business for so long a time. For half a century the names of Armour, Swift, Morris, Cudahy, and others have been synonymous with this industry in Illinois; and to their energy and ability the truly marvellous success of their concerns is largely due.

More than in most industries there has been a great concentration of the slaughtering and packing business in a few large centers. In Illinois Chicago has outdistanced all competitors until today it turns out three-quarters of all the packing products in the state and about one-quarter of all in the entire United States. There has been a steady pressure to transfer the business to Chicago and one after another of the smaller towns have had to give up the industry. They are un-

[12] For the steps in this consolidation see *The Economist,* June 28, July 19, August 16, 1902.

able to compete with the large scale production of the big plants with their resulting economies, and convenience of transportation and other facilities both for sellers and buyers. These immense packing plants in Chicago have created what is known as "Packingtown." This industry, with the allied businesses which have grown up around it, and those which purvey to the workers, constitute together a town probably larger than any in the state exclusive of Chicago itself.

The most striking features in the development of the iron and steel industry in the last twenty-five years have been, first, the changes in methods of production, and second, the movement toward consolidation and combination. The iron and steel industry falls into two general divisions, one comprising the production of pig iron, and the other the conversion of pig iron into various iron and steel products. Illinois, which is far removed from the deposits of anthracite, has had to depend upon bituminous coal, which is almost exclusively used in the form of coke in the blast furnaces of this state. In the production of steel there has been a striking decline in the output of Bessemer in favor of open-hearth steel, the proportion which the former makes up of the whole having fallen steadily from 85 per cent in 1890 to 49 per cent in 1914.

Even more notable has been the movement toward consolidation and combination. The size of the individual establishment has shown a growth which is noteworthy even in a period of large scale production. The number of blast furnaces was the same, namely five, in 1914 as it had been in 1890,[13] but the output quadrupled, indicating that each establishment was much larger. The Illinois furnaces, which are of modern construction and equipped with improved blowing machinery and moreover use the rich iron ores of the Lake Superior region, report the largest daily capacities of any state. A similar movement has taken place in the steel rolling mills: although there was a slight increase from 19 to 25 establishments, the value of the products trebled between 1890 and

[13] *Census of Manufactures: Iron and Steel,* 1914, p. 72.

1914. In the latter year there were five mills with over 1,000 employees and three others with between 500 and 1,000.[14] As the census of 1914 was taken in a year of extreme depression, the figures for this year show a development less than might have been expected.

Even more impressive than the growth in size of single establishments has been the tendency toward the combination of hitherto competing companies into one vast concern. While this has been a general phenomenon it has nowhere been more strikingly exemplified than in the iron and steel industry. The causes which have led to combination were many. The enormous investment of capital kept the number of competitors small and to that extent made the movement more feasible. It has been estimated that it requires between $20,000,000 and $30,000,000 to build and equip a modern plant for the manufacture of iron and steel. And to this must be added further sums to control the iron mines and transportation facilities. But the most effective cause was the excessive fluctuations in the price of the products. No industry is more influenced by changes in the general industrial situation, by political issues, labor disturbances, conditions of the crops, currency, foreign relations, and similar factors. Production was essentially unregulated, as in every industry with a large fixed capital, and tended to overproduction.

Combination was therefore resorted to primarily in order to control prices. At first, this took the form of pooling. The National Steel Association, the Western Nail Manufacturers' Association, and the Stove Manufacturers' Association sought ineffectually to control the output and price cutting.[15] As something more binding than a pooling arrangement was seen to be necessary, consolidation by merger and stock ownership was next developed, especially after 1900. Various Illinois concerns were drawn into the Allis-Chalmers Company, the American Can Company, and the Republic Iron and Steel

[14] *Ibid.*, 30.
[15] *Western Manufacturer*, 6:127; 9:188; 11:255, 465; 14:86, 156.

Company. Of larger proportions were the organization of the Federal Steel Company and the American Steel and Wire Company of Illinois. The former was a holding company combining the Illinois Steel Company with some other concerns and brought together the South Chicago, the North Chicago, the Union, and the Joliet rolling mills, together with four or five short railroads in the vicinity of Chicago. The American Steel and Wire Company, formed in 1899, was the largest Illinois corporation yet organized in this line and consolidated the Ellwood Manufacturing Company and the Ellwood Wire and Nail Company of De Kalb; the Washburn and Moen Manufacturing Company of Waukegan; the Consolidated Barb Wire Company and the Laidlaw Bale Tie Company of Joliet; the Garden City Wire and Spring Company of Chicago.[16]

By the formation of the United Steel Corporation in 1901 these two combinations were themselves swept into the larger combination, together with the American Bridge Company in which were the Lassig Bridge and Iron Works and the American Bridge Works at Chicago, and the American Tin Plate Company which owned the four mills of the Great Western Tin Plate Works at Joliet. Since that time there has been little change in the situation in the iron and steel industry.

Closely allied with the iron and steel industry is the car building industry, in which Illinois holds first rank in the United States. This is due chiefly to the great extension of railway facilities in this and neighboring states and to the convenient location of Chicago and other Illinois cities as centers of the industry. Aside from 73 establishments maintained by the railroads themselves for construction and repair of cars, there were 28 car building establishments in the state in 1910.[17] Of these the most important is the Pullman Company. The organization of the Pullman Palace Car Company dates back to 1867, when George M. Pullman, the inventor of the palace

[16] *Report of the Commissioner of Corporations on the Steel Industry,* July 1, 1911, table 3, p. 107.

[17] *Thirteenth Census of the United States,* supplement for Illinois, 702.

car, established the industry. In 1880 he founded the town of Pullman in Illinois. In 1899 control of the Wagner Palace Car Company of Buffalo was acquired and the name was changed to the Pullman Company. It manufactures and operates drawing-room, sleeping and dining cars, and owns and operates extensive plants in five other cities outside of Chicago, although the principal part of the business is carried on there.

Since 1890 Illinois has held first rank in the United States as a producer of agricultural implements. Its central location and proximity to the rich prairie farms of the central west is the primary cause of its preëminence. New centers of manufacture have appeared within the past decade in states farther west, but nothing has occurred as yet to shake Illinois' leadership. Within the state Chicago ranks first as the seat of this manufacture. This high rank is due chiefly to the extensive manufacture of harvesting machines, in which it leads all cities and indeed all states in the world. It also produces over half of all the grain harvesters, headers and binders, mowers, and reapers manufactured in the United States.

Moline ranks as the second city in Illinois in the value of its manufactures of agricultural implements, but it confines itself chiefly to implements of cultivation. Here are located the Moline Plow Works and the factories of Deere and Company, famed especially for their plows and cultivators. Peoria is the only other city which contributes notably to this industry in the value of product, though numerous other cities and towns are distinguished for the excellence of particular implements.

Illinois leads in the production of most of the principal agricultural implements, as cultivators, harrows, plows, planters and drills, harvesters, headers and binders, horse hayrakes, and mowers. But it is from harvesting implements that it derives its supremacy. The same tendency which has concentrated the industry in Illinois has also led to the specialization and consolidation of individual plants. There has been an

actual decrease in the number of establishments manufacturing certain lines.

The greatest consolidation of establishments manufacturing agricultural implements took place in 1902 with the incorporation of the International Harvester Company. This new organization acquired all but four of the largest harvester companies in the country. Besides some subsidiary plants like the Chicago Malleable Castings Company, the following harvester manufacturing concerns were consolidated: the McCormick Harvesting Machine Company, the Deering Harvester Company, the Plano Manufacturing Company, the Warder, Bushwell and Glessner Company, and the Milwaukee Harvester Company. The capital stock of the new corporation was $120,000,000, and the annual output of the five plants after consolidation about 8,700,000 machines.[18] The parent plant and the largest of all, the McCormick Company, is located at Chicago.

Printing and publishing ranked third among the manufacturing industries of Illinois in 1914, and in this field Illinois was surpassed only by New York. It had ranked tenth among the industries of the state in 1890, but has steadily grown in extent and importance. The explanation of this growth is not to be found in the decline of illiteracy or the development of culture and education among the people, although they played an important rôle, but rather in the economic changes.[19]

Before printing and publishing could be highly developed certain industrial and mechanical improvements were necessary. The improvement of the means of transportation — roads, steam railroads, and electric railways — and of communication — the post office, telegraph, telephone, and even the typewriter — was necessary before the modern daily newspaper and magazines could be produced. Cheap paper was another necessary condition, which was solved by the use of wood pulp for paper-making. By 1890 most of these im-

[18] *The Economist*, February 15, March 8, 1902.
[19] See chapter II.

provements had been invented and the rest followed before the end of the century, so that the foundations were laid for a rapid development.

But other changes, equally significant, were taking place within the industry. Technical changes and new inventions were revolutionizing the printing business. Of these the most important was the invention of a typesetting machine, which was finally perfected about 1885.[20] The average speed of composition has been increased from about 1,000 ems an hour by hand to about 4,000 ems by machine. Although the typesetting machines were invented in New York, it was not long before they were introduced in Illinois; and in 1888 the first linotype machine in this state was installed by the *Chicago Daily News*. By 1895 most of the large papers in the state were using them. Improvements in photo-engraving, which dates as a modern process from about 1890, revolutionized the periodical press, created a new department in the large newspaper offices, and gave rise to a new independent industry. The invention in 1914 of the process of "roto-gravure" marks a further advance in the work of illustration. Electrotyping and stereotyping were both greatly improved by mechanical changes in the nineties. The foundation stone of the whole industry — the printing press — had been brought to a high degree of perfection before this period, but numerous improvements and inventions have increased its efficiency, so that the press of today is very different from that of even twenty-five years ago.

Given these mechanical improvements in the industry, the printing and publishing business, which was in the hands of alert and capable men, was bound to show a marvelous advance. The value of the output increased from $17,348,845 in 1890 to $112,833,427 in 1914, and the number of daily newspapers in the state grew less rapidly from 121 to 184. But the aggregate circulation of the daily newspapers expanded

[20] Thompson, *History of Composing Machines*, 1. There are now three general types of machines: the linotype, the monotype, and the simplex.

from 774,486 per issue at the former date to 2,620,661 at the latter. In addition to the daily newspapers there were published in the state in 1914 nearly 1,500 semiweekly and triweekly, weekly, monthly, and quarterly periodicals.

Illinois ranks second among the states in the union in number and circulation of all classes of publications combined; third in number and circulation of dailies; second in number and circulation of weeklies; and second in number and in circulation of monthly publications.[21] In addition to these periodicals there is a vast amount of book and job printing carried on in the printing establishments of every county in the state, which swells the total to the figures already given.[22]

[21] *Census of Manufactures: Illinois,* 1914, p. 31.

[22] For the information concerning the printing and publishing industry the writer wishes to acknowledge his indebtedness to a thorough study of the subject made by Dr. Frederic A. Russell and presented by him as a doctor's thesis to the University of Illinois under the title *Newspaper and Periodical Publishing Industry in Illinois from 1880 to 1915.*

VI. TRADE AND TRANSPORTATION

IF THE commercial development of a region depends upon the combination of resources and location, then Illinois is doubly favored, for its preëminence as an agricultural, mining, and manufacturing state provides the materials for an extensive commerce, while its commanding location gives it every advantage of water and rail communication. Consequently the trade and commerce of the state rival the other branches of economic activity in importance and extent. In spite of their magnitude, however, the movements of commerce have never been subjected to statistical measurement in the United States, and it is therefore impossible to trace them with any degree of accuracy. It is necessary to fall back upon the data gathered in the more important cities of the state and infer from these the movements which have been taking place generally.

The high degree of specialization which has attended agriculture and the mining and manufacturing industries of the state has meant that no group of workers has been able to supply all its own wants. The distribution of products from producers to distant markets and of other commodities to the consumers has called into existence a great number of merchants, and wholesale, jobbing, and retail houses, whose activities are essential to the welfare of the other interests and whose business is enormous. Especially important is the grain trade, which feeds many manufacturing establishments with their raw materials and supplies the railways with the major part of their traffic. Two of the twelve primary grain markets in the country are situated within the state, of which Chicago ranks first in the United States.

Chicago is by far the greatest commercial and distributing center in Illinois; its commercial importance is due mainly to

its geographical location and to the fact that it is the point of convergence of the principal railroads of the western and northwestern states and of the trunk lines which connect these states with the principal cities of the Atlantic seaboard. But the controlling factor in the commercial and industrial growth of Chicago consists in the fact that this city is one of the principal primary markets for the purchase and sale of the agricultural products of this section of the country and for the manufacture of certain of these products into the various forms in which they appear in commerce.

The magnitude of the grain trade of Chicago may be best indicated by giving a few figures. The total receipts of all grain grew from 219,052,518 bushels in 1890 to 371,135,000 bushels in 1915, while the shipments increased from 204,674,-918 to 299,090,000 bushels for the same years. Two things may be noted even in these bare statistics. First, there has been a very small growth in this trade, due to the shifting of the center of production, the development of new markets, and changes in the routes of transportation. In the second place, the shipments are less than the receipts at each period, but the difference has grown greater. This is caused by the greater demands of the rapidly growing population of Chicago for the incoming flour and grain for food, and also to its use in local manufactories. The city consumption of all grain, including flour, was estimated in 1890 to amount to 22,059,000 bushels; by 1915 this had increased to 119,394,000 bushels. At the same time the manufacture of flour within the city grew from 430,609 barrels in 1890 to 1,155,000 barrels in 1915.[1]

Not only has the grain trade of Chicago failed to show a growth corresponding with its industrial development, but changes in the methods of handling the grain have lessened the profits which have accrued to Chicago merchants in these transactions. Before the development of cheap rail transportation to the east, the grain brought to Chicago after the close

[1] *Report of the Trade and Commerce of Chicago,* 1915, p. 18. See tables in appendix, p. 503. for the grain trade of Chicago.

of lake transportation in the fall accumulated in elevators where it was stored until the opening of navigation again in the spring. With the advent of all-rail carriage of grain to the Atlantic seaboard, which was not interrupted by seasonal changes, the profits of the elevator business declined severely. Although these establishments attempted to hold the business which was slipping from their grasp, by reducing elevator charges, the advantages of through shipments were so great that it was impossible to prevent the change.

Owing to the gradual shifting of the slaughtering and meat packing industry to points farther west, to Omaha and Kansas City, the movements of livestock and dressed meats have shown a still smaller rate of growth and in some respects have even fallen off. But the total amount is still enormous. Chicago is also an important market for lard, wool, and hides, which may be designated as incidents of the packing industry.

Illinois cities and especially Chicago have always been important distributive centers for agricultural products, but the last twenty-five years have seen a great widening in the range of commercial interests.[2] Today Chicago is the most important inland city in distributive commerce in general. While the amount of grain and provisions handled in this city is a smaller proporton of the total products, the relative loss in these lines has been more than compensated by the innumerable variety of other commodities for which the city has become the distributing center. The jobbing and wholesale business of Chicago in 1891 was estimated to have amounted to $517,166,000.[3] Her preëminence as a distributing center was attributed primarily to the cheap freight rates both by rail and water which her merchants enjoyed.[4]

It is not possible to measure the other branches of Chicago's trade with any degree of exactness, as they have never been subjected to statistical measurement, but there is no doubt that they have shown a growth even greater than those which have

[2] See table in appendix, p. 504.
[3] Flinn, *Chicago*, 55.
[4] *Report of the Trade and Commerce of Chicago*, 1890, p. 120.

been enumerated. In 1893 the trade of Chicago in farm products, the products of local manufactories, and the wholesale trade, was estimated to amount to $1,434,700,000. "Were the retail figures of the year and the extraordinary work of hotels, railroads and other industries added," these figures might be doubled.[5]

The financial panic of 1893 and the long period of depression which followed it affected Chicago's trade adversely, but it recovered quickly after 1896, and five years later the board of trade was able to report optimistically as to the outlook. "As an inevitable result of agricultural prosperity . . . Chicago's wholesale business in other lines, has been greatly in excess of that of any previous year — notably in clothing, boots and shoes, furs, wooden and willow-ware, leather and findings, hardware and cutlery, hats and caps; in paper, books and stationery, pig and manufactured iron, crockery and glassware, wagons and carriages, stoves, furnaces, and wallpaper."[6] In 1904 the combined value of the wholesale trade and local manufactures was $2,349,315,000; in 1910 they were $3,988,065,800; and by 1916 they had increased to $4,965,907,000. Of this last sum, over half, or $2,854,298,000, represented the wholesale trade alone. The most important branches of the wholesale trade were the following: dry goods and carpets ($321,000,000), produce ($245,000,000), groceries ($181,000,000), lumber ($127,000,000), boots and shoes ($104,000,000), pig iron ($76,000,000), liquors and wines ($70,000,000), manufactured iron ($66,000,000), and tobacco and cigars ($60,000,000).[7]

Although Chicago overshadows all other Illinois cities in the wholesale and jobbing business, Peoria is of considerable importance along this line. The reasons for Peoria's importance as a commercial center are, in large measure, her central geographical location and her abundant facilities for trans-

[5] *Industrial Chicago*, 4:279.
[6] *Report of the Trade and Commerce of Chicago*, 1901, xiv.
[7] *Chicago Tribune*, December 31, 1916. Each year an annual review of trade is given for the year just ending.

portation. The city is situated in the heart of a fertile agricultural region and has a dozen railroads radiating from it likes the spokes of a wheel from a hub. Few cities can equal this transportation system, which brings into and distributes from Peoria as a center the products of the soil, mine, and forest, as well as merchandise, machinery, and all varieties of manufactured products. The leading industry is distilled liquors, and consequently the city is an important grain center both for purposes of local manufacture and for distribution. It is the second primary grain market in Illinois and the eighth in the country, being surpassed in order of their rank by Chicago, Minneapolis, Duluth, St. Louis, Milwaukee, Kansas City, and Omaha.[8]

Peoria is also a distributing center of packing house products, agricultural implements, and manufactured articles. It was asserted by representatives of manufacturers of agricultural implements in 1900 that it was then the most prominent distributing point for these commodities not only in Illinois but in the west generally. This was due to its central location and its unusual facilities for distribution. Ten or twelve branch houses, representing the most prominent implement manufactories in the United States, were located there. In 1910 there were reported to be large increases in the movement of spirits and liquors, hay, agricultural implements, cooperage, lumber, salt, oil, and miscellaneous freight. And in 1912 the tonnage movement at Peoria was the largest on record up to that time.[9]

East St. Louis ranks third among Illinois cities as a market for grain and has a large number of elevators and warehouses. It is not possible to give any statistics of this traffic, but it is obvious that much of the grain credited to St. Louis by the reports of the Merchants' Exchange of that city is really handled in East St. Louis. Much of the grain from southern and western Illinois is drawn to the St. Louis market.

Prior to 1910 the existing freight rates on grain from

[8] See table in appendix, p. 504.
[9] *Report of the Trade and Commerce of Peoria*, 1900, 1911, 1913.

Illinois points to East St. Louis and to St. Louis worked a hardship upon this market by inducing grain in territory which was really tributary to these cities to go to other markets. But after three years' negotiation with the Illinois railroads centering in East St. Louis and St. Louis, a very complete revision of rates on grain was secured, removing the discrimination against these cities. This revision affected a total of 898 stations in Illinois. The effect of this adjustment was demonstrated by a steady growth and marked increase in shipments of grain from Illinois points to East St. Louis and St. Louis.[10] Aside from this there is and always has been a very large trade between St. Louis and that part of Illinois which is tributary to it. A large percentage of the supplies of groceries, dry goods, boots and shoes, clothing, hardware, and similar commodities for a large part of southern and western Illinois is derived from St. Louis as the logical center for such traffic.

A movement which gained considerable ground after 1900 was the establishment in the centrally located cities of Illinois of small wholesale groceries for reshipping products to the smaller towns. As such houses were able to effect savings on freight by getting their stock in carload lots and then sending package freight only a relatively short distance to their customers, the larger wholesale grocers at a greater distance, in Chicago and St. Louis, were forced to follow this example and establish branch houses in the more important cities of the state.[11]

Another development which has become even more far-reaching in its results upon methods of retail distribution has been the growth of the mail-order business. This may be regarded as an Illinois product, for the two largest such houses in the United States or in the world are located in Chicago, which is the center of this business, although other large cities within reach of Illinois have similar establishments. These great houses supply practically all the necessaries and luxuries

[10] *Report on Trade and Commerce of St. Louis*, 1910, p. 14-15.
[11] *Ibid.*, 1906, p. 55.

of life directly to the consumer without the intervention of any middleman or agents. They sell by catalogue, and orders are sent to them by mail. A renewed impetus to this business has been given by the establishment of the parcel post system, which enables farmers living on rural routes to have mail-order deliveries brought to their very door. So successful has been this method of distribution that many manufacturers of various kinds of goods are now following the example set by the mail-order houses and are endeavoring to reach the consumer directly by mail or otherwise, thus eliminating the profits of the middleman. There are no statistics on these movements; but they must be important among an agricultural population like that of rural Illinois, which is now connected with the great centers of commerce by several methods of transportation. The days of the isolated farmhouse have long passed.

By 1890 the state of Illinois had become well supplied with railroad facilities, and during the following decade the amount of new construction was reduced to a minimum. The panic of 1893, while it was less disastrous to the railroads of the state than had been that of 1873, put them to a severe strain. It was difficult during the years of depression which followed the panic to earn a satisfactory return upon the existing capital, and new additions were consequently out of the question. Indeed, the feeling gained ground that Illinois already had enough railroads to supply her need for transportation facilities. This view found clear expression in the report of the railroad and warehouse commission for 1898: "The State of Illinois is so thoroughly covered with a network of railroads that we can not expect a great increase in the future in the mileage of the main lines in the State. The competition between all main points is now so strong that the construction of new lines would be an unprofitable and reckless investment." In order to prevent the duplication of existing facilities by the building of unnecessary parallel roads, the commission further recommended that authority be given them

to pass upon the advisability of the construction of any proposed new road.[12] But the economic situation was more effective even than legislation in preventing unnecessary construction, and during this period the increase in mileage has been due mainly to the building of branch lines or feeders by the systems already in the field.[13]

During the period between 1900 and the panic of 1907, which again put a stoppage to further expansion, there was considerable development in the coal fields of southern Illinois, which were being tapped and exploited by all the more important railroad systems in the state. New branch lines and feeders were built, and many of the roads bought coal lands and developed their own mines. The most important of these coal carrying lines were the Illinois Central, the Chicago and Eastern Illinois, the Chicago, Burlington and Quincy, the Baltimore and Ohio Southwestern, and the Big Four system.

Illinois was long the leading railroad state in the union in respect to the number of miles of line, but in 1907 the primacy was wrested from her by the still larger and more rapidly developing state of Texas.[14] In 1914 Texas had 15,758 miles, or 6.2 per cent of the 252,230 miles in the whole United States, while Illinois held second place with 12,140 miles or 4.8 per cent, and Pennsylvania was third with 11,634 miles or 4.6 per cent.[15] This high rank is due not merely to the large size of the state, but rather to the extent of the railway net in proportion to the area covered. While there were in 1914 only 8.48 miles of line for each 100 square miles of territory for the United States as a whole, in Illinois there were 21.66 miles of line for a similar area.[16]

Although there was only a moderate increase in the mileage of Illinois railroads during this period, there was a very great

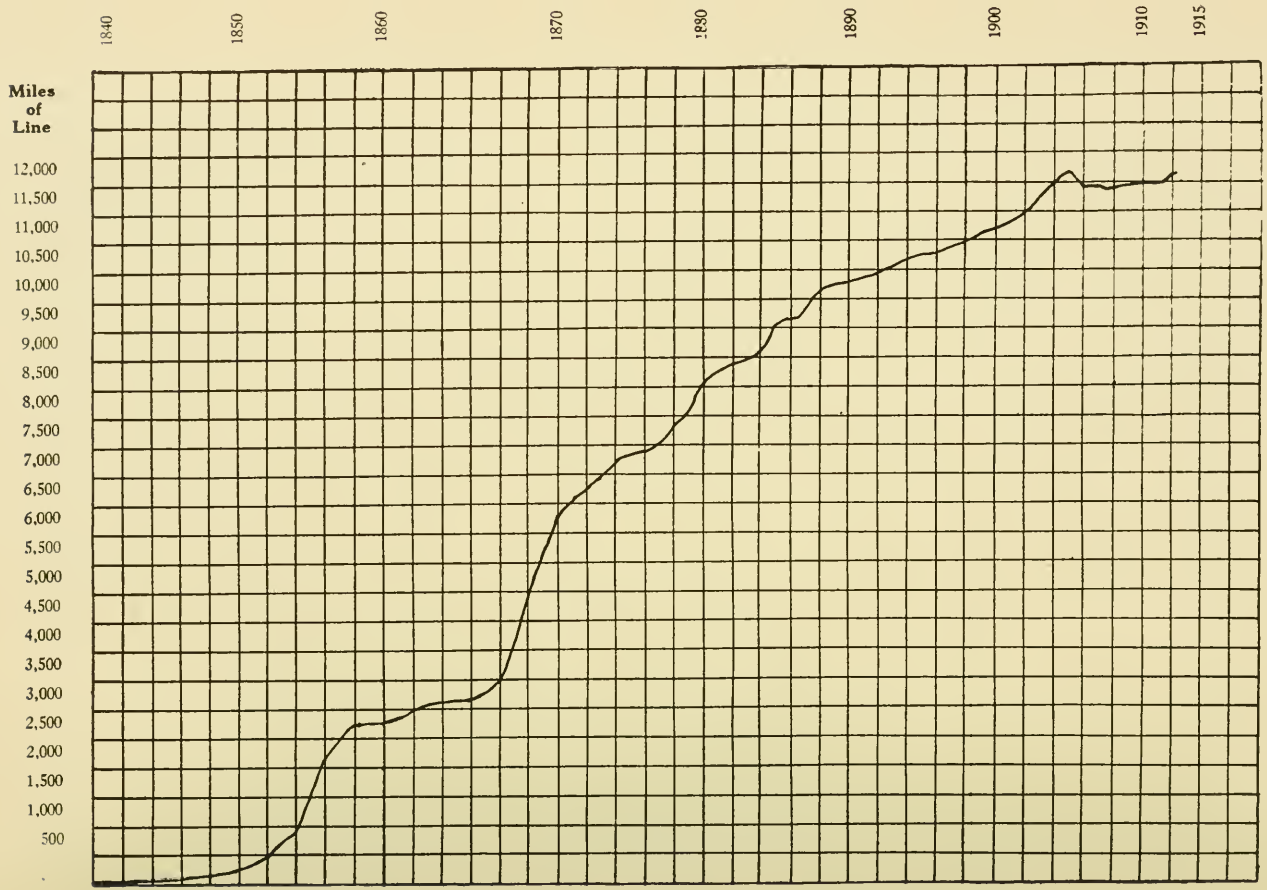
[12] *Report of the Railroad and Warehouse Commission,* 1898, p. iii, xiii; 1900, p. iv.

[13] See tables in appendix, p. 504-505.

[14] *Poor's Manual,* 1907, p. vi.

[15] *Report on Statistics of Railways in the United States,* 1914, p. 12.

[16] *Ibid.*



MILES OF RAILROAD LINES IN ILLINOIS, 1840-1914

improvement in their construction and equipment. The significant feature of American railroad building during the last twenty-five years has been the rebuilding of many of the hastily constructed early lines, and in no state has greater improvement been made than in Illinois. The character of the traffic which is carried by the railroads in this state — heavy, bulky commodities such as coal and grain — and the further fact that most of it is through traffic, have impressed upon the Illinois lines a distinctive character. There has been a steady increase in the weight of the rolling stock; this in turn has resulted in greater tractive power, which, combined with the denser traffic and improved organization, has made possible much heavier train loads. Thus on the Chicago and Alton, a typical Illinois road, the average train load has grown from 184 tons in 1885 to 418 in 1915. In 1912 the average train load on the Illinois Central was about 430 tons.[17]

The heavier loads have in turn necessitated corresponding improvements in track and bridges. Thus in 1871, of the 5,490 miles of track in Illinois, more than ninety per cent was laid with iron rails weighing from thirty to fifty-six pounds to the yard; by 1913 all but 118 of the 12,168 miles of track were laid with steel rails weighing from sixty to one hundred and ten pounds to the yard. In 1871 the road was rock ballasted only in those places where trouble was caused during the wet season, but in 1913, only about five per cent was ballasted with earth and sand. In 1871 there were seventy-nine and one-half miles of double main track, or about one-sixtieth as many miles of double as of single track; in 1914 the number of miles of second, third, and additional main tracks was 3,145, or about one-fourth of the single main track.[18]

In 1875, in the 7,109 miles of railroad in the state, there were fifteen stone arch bridges; in 1913, with an increase of about seventy per cent in the mileage, there were in use 946

[17] *Poor's Manual,* 1916, p. 1408; *Report of the Illinois Central Railroad,* 1912.

[18] *Report of the Railroad and Warehouse Commission,* 1871, table "II"; 1895, p. xi; 1913, 1:15; *Report of the Illinois Public Utilities Commission,* 1914, 2:7.

masonry and 3,103 iron and steel bridges, only ninety wooden bridges remaining as a monument of older conditions.[19]

These are only a few of the many improvements which have been introduced. In addition, interlocking switching devices and block signalling systems have been put into operation, curves and grades have been reduced, tracks have been elevated, and other changes made.[20] As a result of these improvements not only has the weight of the average train load been greatly increased, but a much higher rate of speed has been attained by both passenger and freight trains.

As a result of these changes rates have been lowered, traffic has greatly increased, and the markets have been greatly extended. The extension of improved transportation facilities into the great grain-growing northwest has brought that section into closer competition with Illinois farmers and has resulted in a gradual displacement of Illinois wheat by that of Minnesota and the Dakotas. Illinois farmers have consequently been forced more and more into corn raising and more recently into dairy farming and stock raising.[21] On the other hand, these improvements have developed an enormous traffic in other domestic products within the state, especially the products of the mines, forests, and factories. Between 1889 and 1913 the increase in the total amount of freight carried was fourfold, which was much greater than the growth of the population during the same period. The commerce in the

[19] *Report of the Illinois Public Utilities Commission,* 1875, p. 300, 302; 1913, p. 16.

[20] The following statement will show the character of the improvements that were being made: "The work of the betterment of the physical conditions of the railroad properties of the State have gone steadily forward. Double tracks are being laid to facilitate business, heavier rail sections are replacing the light rails of former years, grade reductions, elimination of curvatures and the purchase and placing in service of heavy equipment, both engines and cars of the very best class for both passenger and freight service, which make the railroad service of the State of Illinois the peer of any such service in this or any other country." *Report of the Railroad and Warehouse Commission,* 1903, p. 8.

[21] Compare chapter III on agriculture. In 1869 Illinois ranked as the foremost wheat producing state in the union with a production of 30,128,405 bushels; for the half decade, 1910-1914, the average annual production was 17,314,263, and the state ranked about fourteenth. The production of corn increased from 129,921,395 bushels in 1869 to 320,111,081 in 1915, Illinois ranking first in both years.

products of the mines grew sixfold, those of the forests fivefold, and manufactures over eightfold.

The figures upon which these statements are based contain inaccuracies, but their essential correctness is evidenced by other statistics of freight movement at particular points. Peoria, which is a typical interior railway center, showed a fourfold increase between 1888 and 1915, or practically the same as that shown for the state as a whole.[22]

The east and west traffic across southern Illinois may be gauged by the freight crossing the Mississippi to and from St. Louis. Between 1890 and 1914 the movement of freight both into and out of the state increased about threefold, the shipments out of the state remaining consistently larger.[23]

It is not possible to present any statistics of the north and south movement of freight across the state, but a couple of estimates have been made that will serve as a guide. A state committee on the deep waterway across Illinois estimated the freight movement between Chicago and St. Louis at 20,000,000 tons northward and 15,000,000 tons southward, or a total of 35,000,000 tons annually. At about the same time the federal Mississippi river commission, which was also investigating the deep waterway project, stated that the freight which then moved between these two cities was carried by three railroads — the Chicago and Alton, the Illinois Central, and the Wabash — and that during the year ending June 30, 1904, the quantity of freight moved by these three roads from Chicago to St. Louis was 449,115 tons and from St. Louis to Chicago was 633,182 tons, a total of 1,082,297 tons for the year in both directions. This they thought was a fair estimate of this north and south traffic.[24] The vast discrepancy between the two sets of figures serves to show how inaccurate a mere guess upon such a subject may be and that the value of the estimate in every case depends upon the motive of the one making the estimate.

[22] See table in appendix, p. 505.
[23] See table in appendix, p. 506.
[24] *Report by the Mississippi River Commission*, 1905, p. 15.

The total amount of freight carried in the state as a whole showed a steady increase during this period, except for a slight decline between 1902 and 1905.[25] After 1905 the increase was especially rapid, the total freight tonnage almost doubling in the next decade. The freight train mileage did not grow so rapidly, but the number of tons carried one mile quadrupled during the twenty-year period. This was due to the more efficient utilization of plant and equipment, resulting from heavier train loads and faster speed.

Much less important than the freight service, both in the amount of rolling stock used for this service and the resulting revenues to the railroads, is the passenger service. The growth in this has not been so great as in the case of the freight tonnage, but it has more than doubled in the past twenty years.[26]

One of the most interesting as well as important recent developments in the transportation world has been the growth of interurban electric railroads. Electric traction was first applied to city street railways in 1888, but it was almost a decade later that electric lines were built outside the city limits between comparatively distant points. Since 1900, however, there has been a very rapid development of these lines, not only in Illinois but in almost all sections of the country.

The first electric roads in Illinois were constructed during the later nineties. The first mention of them in the reports of the railroad and warehouse commission was in that of 1899, when 42.89 miles of "elevated and electric roads" were reported in operation, but no distinction was made between the two. A comparison with subsequent reports shows, however, that of this total 10.50 miles consisted of electric surface lines. This was the St. Louis, Belleville, and Suburban Railway Company, which therefore has the distinction of being the first road of this kind in Illinois. A year later the Peoria and Pekin Ter-

[25] See table in appendix, p. 506.

[26] The freight revenue of Illinois railroads in 1913 was $147,262,069, while the passenger revenue was $41,642,174. The number of freight cars in use was 966,830, and of passenger cars, 17,827. See tables in appendix, p. 504-505.

minal Railway was opened for passenger business (April 10, 1900); six miles had been built for the Mississippi Valley Transit Company; and a beginning was being made on the Collinsville, Caseyville, and East St. Louis Electric Railroad, which by June 30, 1901, had a little over seven miles in operation.[27] During this last year the Chicago, Harvard, and Geneva Lake Railway was opened.

After this the movement became more rapid, and the companies began to multiply and the lines to stretch out into the rural districts between the larger cities. By 1903 there were already two lines over fifty miles in length. The first line to pass a length of 100 miles was the Aurora, Elgin, and Chicago Railroad Company in 1907.[28] In this same year a total length of over 1,000 miles was attained by all the lines. Combination soon set in, and the separate lines began to be consolidated into larger combinations. Of these the Illinois Traction Company soon passed all the rest and by 1913 controlled 456 miles of line in Illinois. As a typical electric interurban system this may be briefly described.

The Illinois Traction Company was organized in 1904 out of some twenty subsidiary companies.[29] Its longest direct line is from Danville to East St. Louis, a distance of 227 miles. Springfield is the center of the system, and from here the three branch lines radiate in all directions — north to Peoria (75 miles), east to Danville (131 miles), and south to East St. Louis (97 miles).[30] Another division connects Decatur with Bloomington (45 miles). All these divisions are served with limited trains operated at high speed on a two-hour headway and are equipped with parlor and sleeping cars.

[27] *Report of the Railroad and Warehouse Commission,* 1899, p. cxxi; 1900, p. clxxix; 1901, p. 197.

[28] *Ibid.,* 1907, p. 286.

[29] *Street and Electric Railways,* 1907.

[30] The Illinois Traction Company first gained entrance to St. Louis in 1910 and its advent was hailed with joy by the people of that city, because it supplied improved facilities for shipments of merchandise to Illinois towns, and also afforded the opportunity for the people of these towns to make frequent shopping trips to St. Louis. *Report on Trade and Commerce of St. Louis,* 1910, p. 68.

The freight service of this system is also of real and growing importance to the territory it serves. It affords the sole outlet for several coal mines along its route and serves over one hundred coal mines which are also touched by the steam roads which the system parallels. It has also developed a considerable traffic in milk and grain and in general express and package transportation. But the passenger traffic and revenue far exceed the freight business in importance.[31]

The rapid development of the interurban electric railway has been due to several causes.[32] Travel by the interurban is cheaper than by the steam railroads; it is more convenient, owing both to the frequency of the service and to the more convenient location of the interurban stations which are usually situated in the heart of the shopping districts. And finally many people are reached by the interurban who could not use the steam roads. The great advantage possessed by the electric lines is the possibility of variation of units of service according to the amount and character of traffic, which enables them to give a service which is both more frequent and cheaper than that of the competing steam roads. The latter have in many cases lost traffic to the interurbans, especially in suburban traffic outside the larger cities. Passenger, freight, mail, express, sleeping, and even funeral cars are run on the longer routes.[33] The total number of passengers carried by these roads has increased from 1,743,495 in 1899 to 137,390,295 in 1913.

The freight tonnage hauled by electric railways in Illinois has grown in even greater ratio than the passenger traffic, having increased from 614 tons in 1900 to 3,067,483 tons in 1913. Figures showing the various classes of freight are available only from 1910 to 1913,[34] but these show that the transportation of bituminous coal far exceeded all other freight in volume. The handling of parcels and light package

[31] *Report of the Railroad and Warehouse Commission*, 1913, 1:138.
[32] See table in appendix, p. 507.
[33] *Report of the Railroad and Warehouse Commission*, 1905, p. 6.
[34] *Ibid.*, 1910-1913.

freight in and out of the large cities is a business whose importance is not adequately measured by statistics of tonnage, but which is constantly growing. So too the transportation of farm products, especially milk, from the rural districts to the creameries and city markets has been an important one in the dairy sections of the state.

The interurban electric lines have had an important effect upon both passenger and freight rates of the steam roads, but especially the former. In some cases the steam roads met the competition of their new rivals by reducing fares, but for the shorter distances they found it impracticable to meet the lower expenses of operation of the electric lines and solved the problem by laying off a number of passenger trains. This has been particularly noticeable on the roads serving Chicago. But perhaps the most important effects of this new transportation agency have been the breaking down of rural isolation, as it has brought country districts into closer touch with the cultural advantages to be found in cities and has facilitated travel and commercial intercourse.

Railroad rates in Illinois have since 1871 been under the control of a state commission, whose authority was generally recognized by the roads after the first decade. Since 1887 rates between Illinois and points outside the state have come under the jurisdiction of the federal interstate commerce commission. During the period since 1893, therefore, railroad rates in Illinois have been fairly steady, and have shown none of the wild fluctuations that characterized earlier periods. Both passenger and freight rates have declined rather more than the average rates for the United States and have reached a lower level.[35]

Schedules of maximum rates have been established from time to time by the railroad and warehouse commission, of which the first went into effect in 1874. The maximum passenger rate of three cents a mile then fixed continued until 1907, when it was reduced to two cents by legislative action. An at-

[35] See table in appendix, p. 507.

tempt in 1917 to raise the rates to two and one-half cents a mile failed.[36]

The schedules of freight rates fixed by the commission were likewise placed high enough to give considerable latitude to the railroad companies. Changes have been effected in the official schedules chiefly through variations in the classification of freight, which have been made frequently. In 1894 a new general classification was adopted by the commission to correct the inequalities under which Illinois merchants and shippers were suffering in their competition with merchants in neighboring states. It was shown that rates from Cincinnati, Toledo, Detroit, and other cities to interior points in Illinois were less than those from Chicago, even though in some cases the hauls were longer. Reductions were accordingly made on about one thousand articles and the discriminations complained of were corrected. Again in 1906 as a result of complaints of high charges on the part of shippers, a flat reduction of twenty per cent was ordered by the commission on classes one to five (chiefly merchandise) and a graduated scale of reduction on classes six to ten (other commodities).[37] Minor reductions and changes have been made every year and sometimes several times in a single year as occasion warranted.

Reductions in rates are usually accompanied by such an increase in traffic that net earnings are not adversely affected, and this has been true in general of Illinois railroads. The prosperity of these lines received a blow in 1893, however, from the serious effects of which no artificial stimulation of traffic could save them. The panic of 1893 was caused by an overinvestment of fixed capital, largely in premature railroad construction. Liquidation and an adjustment of values was inevitable. In Illinois conditions were made worse by labor troubles and crop failures which reduced the amount of traffic available. The general reduction in rates ordered by the commission in 1894

[36] The table on page 507 in the appendix shows that the actual rates were lower than the legal maxima.

[37] *Report of the Railroad and Warehouse Commission,* 1895, p. xi; *Special Report of the Railroad and Warehouse Commission,* 1906.

came in the midst of the period of depression, but it helped rather than hurt the railroads for it enabled Illinois merchants and manufacturers to reach markets from which hitherto they had been virtually excluded by discriminatory rates.

Beginning about 1897 the lean years came to an end and there set in a "wonderful and unparalleled activity in railroad business," which continued almost without interruption for the next decade.[38] Freight tonnage and passenger traffic showed astonishing growth, which was attended by marked prosperity of the railroads. This revival was curtailed temporarily by the panic of 1907, the effects of which were "reflected very largely in the business of the railroads of the State."[39] Passenger and freight revenues both declined, but the depression was only momentary, and the normal expansion of the country soon restored the roads on a sound financial footing. Net revenues continued to increase to 1913, but the following year saw a decline owing to the rapidly growing costs of operation.

The railroads insisted that a general advance in rates of five per cent on all classes of commodities was necessary, and this was granted them in 1914 by the public utilities commission, which in this year superseded the railroad and warehouse commission. Protested by the shippers and commercial associations of the state, this advance was suspended until its merits could be passed upon more carefully by the commission,[40] but in July the railroads were authorized to increase rates from Chicago to points in the central freight association territory and in December to points in eastern trunk line territory.[41] In 1917 the commission granted a freight rate increase of fifteen cents a ton on coal and coke for one year ending October 15, 1918; a five

[38] *Report of the Railroad and Warehouse Commission,* 1899, p. v. Only in one year, 1904, did the net earnings and dividends of the railroads in Illinois fail to show an increase over the previous year, and in this case the decline was a slight one.

[39] *Ibid.,* 1908, p. 6.

[40] The five per cent rate case was the most important subject with which the new commission has yet had to deal. *Opinions and Orders of the Public Utilities Commission of Illinois,* 1915, 2:20.

[41] *Report of the Trade and Commerce of Chicago,* 1914, p. xxv.

per cent increase was also allowed on a large number of other commodities.[42]

The hearing and adjusting of complaints proved to be one of the most important duties of the railroad and warehouse commission and has been taken over by the public utilities commission. Undertaken originally as a temporary expedient the policy of arbitrating complaints was found so satisfactory that in 1893 the commission adopted formal rules of practice to govern the procedure in the trial of complaints.[43] Many disagreements were settled without formal trial, and in the formal cases the railroads showed a willingness to accept the decisions of the commission. Complaints over discrimination were heard frequently in the nineties, later they were directed against excessive charges for switching loaded cars and other forms of extortion; and today they cover a multitude of grievances most of which, however, still concern the question of rates.

The powers of the commission were materially enlarged in 1911 by giving them control over all common carriers in the state, except street railways, in addition to their original control over steam railroads and warehouses. The act of 1911 defined common carrier to include express companies, steamboat lines, private car line companies, sleeping car companies, fast freight line companies, and every agency for public use in the conveyance of persons or property within the state. At the same time the power of inquiry into the business management of all common carriers was enlarged. The first reports of these companies were made to the commission the following year, and one of the first acts of the commission under its enlarged powers was to reduce express rates.[44] As a result of the widened scope of these activities the railroad and warehouse commission, after an honorable record of forty-four years, was superseded on January 1, 1914, by the state public utilities commission.

Railroad consolidation was a marked characteristic of rail-

[42] *Chicago Tribune,* October 10, 1917.
[43] *Report of the Railroad and Warehouse Commission,* 1893, p. 6, 153-159.
[44] *Ibid.,* 1912, p. 12.

way development in Illinois during this period. It was the result in part of a general movement toward large scale production, with its resulting economies. Between about 1896 and 1901 the larger lines in the state bought the smaller lines, often at receivers' sales of bankrupt roads, and made them divisions of their own systems. In part, however, the movement toward consolidation was the result of legislative acts and judicial decisions rather than purely economic forces. Pooling had been forbidden by the interstate commerce act of 1887, but the railroads in their efforts to prevent competition had made rate agreements. These were permitted until 1897 when the supreme court in the cases against the Joint Traffic and Trans-Missouri Freight Associations held that the Sherman law of 1890 applied to railroads and therefore declared such agreements to be illegal.

Since concerted action by independent railroads either in fixing or maintaining rates was now made illegal, a decided impetus was given to the movement toward consolidation. But this now took a slightly different form from that which had previously prevailed. The stronger systems purchased a controlling interest in the stock of other lines and were thus able to harmonize the rate policies of the hitherto competing roads. A common method of financing such a purchase has been for the acquiring company to issue its bonds in exchange for the stock of the acquired company. A few typical instances of the more important consolidations in Illinois may be given.

The Illinois Central, which began operations in 1856 with 705 miles of road between Chicago and Cairo and between Centralia and Dubuque, had increased its mileage by construction, purchase, and lease to 2,888 in 1893. Since that period it has continued the same policy until by January 1, 1917, it controlled 4,825 miles, almost half (2,287 miles) being controlled by stock ownership and a third (1,555 miles) by outright purchase. In 1893 it purchased a controlling interest in the Chesapeake, Ohio, and Southwestern and some of the affiliated companies. In 1896 it obtained control by lease of the St. Louis,

Alton, and Terre Haute, which in turn held by lease six other short lines in southern Illinois, thereby adding 239 miles to its system. In 1899 the line from Springfield to East St. Louis, formerly a part of the St. Louis, Peoria, and Northern, was purchased, and also the Indiana division of the Peoria, Decatur, & Evansville. Two years later the Evansville and Mattoon line was absorbed, and in 1902 eight small lines were added. The following year six other small lines were absorbed. Other purchases were made in 1905 and 1908.[45] Most of these lines were in Illinois and are now operated as divisions of the Illinois Central system.

The Chicago and Alton Railway Company was incorporated in 1900 as a holding company to lease the property of the Chicago and Alton railroad and to purchase an interest in the St. Louis, Peoria, and Northern. This latter was itself the result of a consolidation in 1896 of the St. Louis and Eastern, the St. Louis and Peoria, and the North and South railroads, all of which were in receivers' hands at the time. In 1906 the "railway" company and the "railroad" company were merged, assuming the name of the latter. In 1907 the Toledo, St. Louis, and Western acquired control of the Chicago and Alton through the purchase of a majority of the preferred and common stock of that company.[46] Here is a case in which a line of 450 miles controls a larger one of 1,052 miles. As the acquiring road is at present in the hands of a receiver it is difficult to say what the outcome will be.

The Chicago and Eastern Illinois Railroad Company was chartered in 1894 as a consolidation of an earlier company of the same name and the Chicago and Indiana Coal Railway Company. In 1897 the Chicago, Paducah, and Memphis line was purchased; in 1899 the Eastern Illinois and Missouri River, the Indiana Block Coal, the Evansville, Terre Haute, and Chicago, and the Eastern Illinois and St. Louis railroad companies were absorbed. The two latter roads together with the

[45] *Poor's Manual,* 1897, p. 461; 1911, p. 808-809; 1917, p. 1269.
[46] *Ibid.,* 1906, p. 324; 1917, p. 1077.

Evansville Belt Railway Company were consolidated in 1911 under the name of the Chicago and Eastern Railroad.[47] By these consolidations the mileage of the system has been practically doubled.

The examples of consolidation just given, which are for the most part of lines bought outright, leased, or controlled by stock ownership, do not, however, indicate sufficiently the unification of interests which has been taking place. Other important alliances have been effected by joint ownership on the part of two different systems, as illustrated by the joint control of the Chicago, Burlington, and Quincy by the Great Northern and the Northern Pacific. As the first named line in turn owns or controls sixteen other lines some of which are owned in common with still other roads the intricacy of modern railroad interrelationships becomes apparent. The significant fact is that most of the Illinois railroads have become parts of great national systems, one of them over nine thousand miles in length. The difficulty of enforcing competition or of preventing rate agreements under such circumstances becomes at once apparent.

The rapid increase in railroad service has been attended with a concomitant growth of accidents, though not in the same proportion. In the case of passenger traffic, where improved safety devices, steel cars, and other safeguards have been most widely introduced, there has been a decided falling off in the proportion of those killed and injured. The same thing is true of the group of "others" who are neither passengers nor employees. A large proportion of the accidents to these persons occurred at crossings, and since about 1898 the railroad and warehouse commission began energetically to work for track elevation or the more general installation of safety devices at these points, an effort which has met with steady though sometimes grudging response.[48] Accidents at grade crossings became especially frequent, after the development of electric

[47] *Ibid.*, 1908, p. 466; 1917, p. 637.

[48] *Report of the Railroad and Warehouse Commission*, 1898, p. ix, 1899, p. ix, 1900, p. xi., 1901, p. 8.

interurban roads began, at those points where these crossed the existing lines of steam railroads.

It is, however, the group of railway employees which has paid the largest toll in life and limb in response to the increasing demand for service.[49] The great increase in the number of employees reported as injured in the last five years would seem to be the result of more careful reporting of such accidents as a result of the adoption of compensation rather than a real increase, for the number of fatal injuries shows only a normal increase. The proportion of employees killed in Illinois has fallen from one in every 750 in 1880 to one in 496 in 1913.[50] But the record for Illinois is worse than that for the whole United States, being one in every 461 for the state in 1909 as against one in every 576 for the union.[51] The similar figures for non-fatal injuries are one in 25 as against one in 20; in this respect Illinois makes a better showing than the country as a whole. The high water mark seems to have been reached in 1913 for fatal injuries and in the following year for non-fatal accidents. The year 1915 recorded a decided and gratifying decrease in both classes of accidents, which reflect better care on the part of the railroads and of the commission.[52]

[49] See table in appendix, p. 508.

[50] *Report of the Railroad and Warehouse Commission,* 1880, p. 12; 1913, 1: 17, 85.

[51] These statistics are for 1909, the last year in which they can be obtained for the country as a whole. *Report of the Statistics of Railways in the United States,* 1909, p. 106.

[52] See table in appendix, p. 508.

VII. WATER TRANSPORTATION AND ROADS

THE history of water transportation in Illinois during the past fifty years stands in striking contrast with that of railroad transportation, as it has been characterized by a steady decline in volume and importance. Today the lake commerce is the only important branch of water-borne commerce within the state. The river and canal traffic is practically a thing of the past, except in the case of a few heavy and cheap commodities which cannot pay high freight charges. The history of water transportation in Illinois for the last twenty-five years may be divided into that of river, canal, and lake commerce.

The Ohio river trade is still of some importance at a few Illinois towns, in spite of a steady decline. It is difficult to give any comparative statistics, as the data for the earlier period were in terms of value and those for more recent years are given for amounts. In 1905 Mound City was the most important purely Ohio river port, with receipts of 172,570 tons and shipments of 405 tons. Other towns were Shawneetown (total receipts and shipments, 76,691 tons), Metropolis (43,308), Brookport (17,825), Rosiclare (16,200), Elizabethtown (13,450), Cave in Rock (10,400), Golconda (1,756), and Hamletsburg (110).[1] In all these towns the receipts were much larger than the shipments, seeming to show that they were primarily collecting points for material which was used for local manufactures or was shipped on to other points by rail.

Cairo is today, as it always has been, the most important commercial river town in Illinois, although its commerce has decreased greatly. Its situation, at the junction of the Missis-

[1] *Report of Commissioner of Corporations on Transportation by Water in United States,* part 2, p. 282.

sippi and Ohio rivers, gives it an advantage which it was thought at one time would make it the leading commercial city in the state, if not of the west. In 1905 the receipts from both the Mississippi and Ohio rivers were 268,741 tons and the shipments were 127,200 tons, or a total of 395,941 tons.[2] Nine-tenths of this freight was received from upstream, and consisted of coal, sand, stone, and other freight such as logs, lumber, and railroad ties, which were received for local manufacture at Cairo or for shipment by rail to other points.[3]

On the Mississippi river between Cairo and St. Louis there are several river towns of considerable importance, each of which has more or less river trade; but the St. Louis, Iron Mountain, and Southern Railway parallels the river for a large part of the distance and has secured most of the traffic on the Illinois side. Moreover, the navigation of the river has for many years been very difficult owing to the irregularity of the stage of the water.[4] One cause of this difficulty is the comparatively great slope on this stretch of the river, while another is the great influx of sediment from the Missouri river. Practically all the freight now handled on this stretch of the Mississippi is local freight to or from the river towns.

On the upper Mississippi, railroad competition has been particularly keen for the past twenty-five years and has affected both the extent and character of the river trade. The bulk of the commerce received at the river ports has therefore consisted of stone, gravel, sand, and similar cheap heavy commodities, and rafts of logs brought down from the northern forests to be manufactured at these cities into various kinds of lumber.[5] Thus, during the year 1894, the four cities of Fulton, Moline, Rock Island, and Quincy manufactured over 148 million feet of lumber, more than 35 million shingles, and nearly 33 million

[2] *Report of Commissioner of Corporations on Transportation by Water in United States,* part 2, p. 282.

[3] *Transportation by Water,* 1906, p. 184.

[4] The variation in the Mississippi river at Grafton, Illinois, below the mouth of the Illinois river, is 29.6 feet; below Cairo and the mouth of the Ohio river it is 45.6 feet. See "Preliminary Report of the United States National Waterways Commission," *Senate Documents,* 61 congress, 2 session, number 301, p. 7.

[5] *Report on Transportation by Water in United States,* part 2, p. 183-184.

laths.[6] This lumber manufacture has since declined owing to the establishment of sawmills nearer the northern forests.

The diminishing traffic and increasing difficulties of navigation are reflected in the marked decrease in the average tonnage of river vessels. While the number of steam vessels documented in Illinois ports increased from 72 in 1895 to 80 in 1900, and to 137 in 1906, their average tonnage declined from 115 in 1895 to 78 in 1900, and to 56 in 1906. This clearly shows an adaptation of the boats to the demands of the service and the conditions of navigation.

The Illinois river flows through the heart of the agricultural region of the state and, with the Illinois and Michigan canal, forms a continuous waterway for small vessels from Lake Michigan at Chicago to the Mississippi river. The people of Illinois have been interested in keeping open this waterway across the state, because of the influence it would exert upon railway freight rates between Chicago and St. Louis and intermediate points. Since about 1876 the state of Illinois and the federal government have carried on the work of improvement jointly, with a view to creating a navigable route from the Mississippi to the Great Lakes. A lock and dam at La Grange, seventy-nine miles from the mouth of the river, were completed in 1890 and another at Kampsville, thirty-one miles from the mouth of the river, in 1894. Up to June 30, 1906, the federal government had expended $1,504,748 on these works. Since 1907 these operations have been extended over the upper section of the river as far as La Salle where the Illinois and Michigan canal connects with the river, forming a through route for small boats to Chicago and Lake Michigan.[7]

The building of the locks and dams at La Grange and Kampsville gave promise of satisfactory navigation on the Illinois river at all times, as it was believed that a stage of water would be permanently secured which would afford as deep a channel as that of the Mississippi river below the Illinois to

[6] *Report on Trade and Commerce of St. Louis,* 1906, p. 169.

[7] *Transportation by Water,* 1906, p. 169; *Report of Commissioner of Corporations on Transportation by Water in United States,* part 1, p. 51-52.

Alton, at least until that section of the Mississippi should be further improved. After the completion of these improvements there was an increase in the number of steamers plying between the Illinois river and St. Louis, the number growing from nine in 1889 to fourteen in 1899.[8] But many of these were used merely to tow barges and canal boats, which carried sixty-nine per cent of the total freight on the Illinois river in 1906.[9] The commerce was mostly local and consisted of grain and general merchandise. Between 1889 and 1906 the total freight shipments fell off from 180,264 tons to 105,826 tons, or a loss of forty-one per cent.[10]

Few states can boast a finer system of navigable rivers than Illinois, bounded on one side by the "Father of Waters" and on another by the mighty Ohio, while the Illinois river cuts through the very heart of the state. Yet few states exhibit a more complete disregard of the facilities for water transportation which nature has placed at its very door. Partly responsible for this is the fact that these streams run, on the whole, north and south, while the principal trade and commerce of Illinois, since the early years of statehood, moves from west to east and return. Partly also the difficulties of navigation in the rivers — the seasonal variations in depth and flow, the presence of sediment and shifting sand bars and the cost of improvement — are to blame for the small use of these streams.

But perhaps the strongest reason of all for their neglect has been the rapid development of the railway net. There was not traffic enough for both railway and river, and in the competition between these two agencies the former completely routed its rival. The railroads offered certain real advantages, and they were eagerly seized upon by a people impatient of delay and anxious to bring the latent resources of the country into quickest possible use. To this neglect of the rivers the railroads themselves contributed materially by their unwillingness

[8] *Report on Trade and Commerce of St. Louis,* 1890, p. 79-80; 1899, p. 132-134.

[9] *Transportation by Water,* 1906, p. 182.

[10] "Preliminary Report of the United States National Waterways Commission," *Senate Documents,* 61 congress, 2 session, number 301, p. 5.

to coöperate with the steamers in the transshipment of freight or the establishment of joint facilities. The rivers have been regarded as enemies of the railways rather than as complementary to them. It may be that in the future, when the transportation needs of the state have transcended the ability of the railroads to meet them, the rivers will again be called upon to serve the people as they did one hundred years ago.

If the story of river transportation has been one of neglect, that of the treatment of the canals has been one of indifference. The canal traffic of Illinois is carried through three artificial waterways — the Illinois and Michigan canal, the Chicago sanitary and ship canal, and the Hennepin canal.

There was a steady decline in the amount of traffic on the Illinois and Michigan canal down to 1899.[11] But in 1900 there was a sudden drop to 121,759 and still lower levels were reached in the succeeding seven years. Since 1907 there has been an increase. This is due to the use of this canal for a short distance by boats passing through the Chicago drainage canal. The clearances, miles run, and receipts from tolls all continued to decline steadily. The last feature is a very serious one and has necessitated the payment of a large deficit year after year out of state funds. Traffic has been increased by reductions in rates, but the increase has not sufficed to prevent a steady decline in the revenues. Since 1878 the canal has ceased permanently to pay even the expenses of operation and maintenance.

The decline of the canal to its present position has been due to several causes. The most obvious is, of course, the competition of the railroads, which are more conveniently located and have better terminal facilities, which are constantly being improved while those of the canal are not. Rate discriminations against the canal users, heavy elevator charges and expenses for rehandling grain shipped via the canal, and similar factors put the canal at a disadvantage. And finally the lack of all better-

[11] For a table of traffic on the Illinois and Michigan canal, 1890-1915, see appendix, p. 509.

ments on the canal to adapt it to modern traffic conditions has made it impossible to use it for any but local trade.

In spite of its steady decline to a position almost of uselessness the Illinois and Michigan canal still exerts a considerable influence upon railroad rates at competitive points, while in the past its power in reducing rates was very great. From the date of its opening to December 1, 1915, the canal carried 74,031,104 tons of freight. During the same period $6,631,007 were received in tolls as against $5,391,107 expended for maintenance, repairs, and operation.[12] Although it has not proven to be the great source of revenue that it was hoped it might be and is today a source of expense to the state, it must be regarded as having proved on the whole a good investment for the people of the state of Illinois. The traffic on this canal has consisted chiefly of heavy cheap commodities like sand and stone. In 1906 the total commerce amounted to 446,080 tons.[13]

Parallel with the Illinois and Michigan canal is the new Chicago sanitary and ship canal, constructed under authority of the state by the trustees of the sanitary district of Chicago. The main channel from Robey street, Chicago, to Lockport was opened in 1900. It is twenty-eight miles long and twenty-two feet deep. The total cost has been about $42,000,000. Its primary purpose is to protect the waters of Lake Michigan from sewage pollution, but its dimensions are large enough for lake vessels.

Since the building of this canal there has been persistent and determined agitation for the construction of a deep waterway from the lakes to the gulf. The drainage canal, together with the Illinois river, furnishes an excellent beginning for such a plan. A survey made by a federal board of engineers in 1902 proposed the building of short canals and the improvement of the Illinois river by the federal government from Lock-

[12] Putnam, *The Illinois and Michigan Canal*, 124. These figures do not include the sums received from rentals, leases, and privileges, which are considerable, nor the interest on the investment. See also *Report of the Illinois Canal Commissioners*, 1914, p. 8.

[13] *Report of Commissioner of Corporations on Transportation by Water in United States*, part 2, p. 290.

port, the present terminus of the drainage canal, to Utica. Thus far, however, no action has been taken.

The state of Illinois has proceeded somewhat farther in attempting to realize the proposed program. A bond issue of twenty million dollars for the purpose of improving the waterway from the western terminus of the Chicago drainage canal to Utica and to construct power plants was approved by the people on November 3, 1908.[14] Legal complications delayed the beginning of the work, and before it could be started a new administration came into control of the state government, who thought that a less deep and expensive channel would be sufficient. The new plan contemplates an eight-foot channel instead of one of fourteen feet, and to carry this out the Illinois waterway commission was created with authority to make this improvement at a cost not to exceed $5,000,000.[15]

In support of this more modest plan it is urged that there is no use in building a deep waterway within the state of Illinois so long as the Mississippi river remains unimproved, and there is no likelihood that its channel will be deepened by the federal government in the immediate future. It is also stated that much of the traffic which would use the deeper channel could be accommodated by the shallower one, and the difference would not justify the expenditure of the larger sum necessary to secure a fourteen-foot waterway.[16] Further expenditures for this work, however, seem indefinitely postponed by the entrance of the United States into the European war on April 6, 1917.

The Hennepin canal was completed in 1907. This extends from the Illinois river at Great Bend, about one and three-fourths miles from Hennepin, by way of Bureau creek valley to Rock river, at the mouth of Green river, thence by slack water in Rock river, and a canal around the lower rapids at Milan, to the Mississippi. A report of the United States board of engineers states that as a through route between Lake Michigan

[14] *Report on Trade and Commerce of St. Louis,* 1908, p. 58.

[15] The chief of engineers, United States army, stated that in his opinion an eight-foot channel would be adequate. *Engineering News,* 61:691; *Laws of 1915,* p. 18-35.

[16] See Putnam, *The Illinois and Michigan Canal,* 149-150.

and the Mississippi river the canal will be of comparative unimportance until improvements have been made on the Illinois river between Lockport and La Salle.[17] No reliable statistics on the traffic of this canal are available.

The lake commerce of Illinois resolves itself practically into the commerce of Chicago, as it all passes through this port. Local traffic on the Great Lakes is comparatively insignificant, most of the commerce moved being carried from one end of the lake system to the other. The principal receipts at Chicago consist of iron ore which is mined in the Lake Superior region and of lumber and coal, while the chief exports are grain and flour and other mill products.[18] There has recently been a notable increase in the amount of package freight received at and shipped from Chicago by lake, and with proper terminal facilities a still further increase may be looked for.

Disregarding the fluctuations which appear from year to year the impression derived from a study of the flour and grain shipments over a period of twenty years is one of gradual decline in the volume of this branch of lake commerce.[19] In part this is attributable to the diversion of the grain trade to the railroads, and in part to the growth of other important grain markets in the northwest which have become very successful rivals of Chicago in attracting this trade.

As carriers of flour the railroads have distinct advantages over the lake vessels, because of the factors of time, cost, delay, insurance, and similar items. In 1894 the lake shipments amounted to almost half of all flour shipped east, but this proportion sank to ten per cent in 1904; since that date there has been a slow increase until today the lake boats carry about one-third. In the contest for the wheat traffic the lake carriers have been more successful, their shipments amounting to about two-thirds. Corn shipments as a whole have declined, as more corn has been used near the points of production in stock feeding and

[17] *Report of Commissioner of Corporations on Transportation by Water in United States,* part 1, p. 52, part 2, p. 288, 290.

[18] Tunell, *Statistics of Lake Commerce,* 11.

[19] For table see appendix, p. 509.

for the manufacture of corn products and distilled liquors. The proportion shipped via the lake route has also fallen off from about two-thirds of all in 1894 to one-third at present. In the movement of oats the railroads have always maintained a supremacy, their share of the traffic having increased from fifty per cent in 1897 to ninety-seven and one-half per cent in 1915.

On the whole one may hazard the generalization that the rail traffic from Chicago has remained fairly steady, showing in general a normal growth from year to year. The lake traffic on the other hand has been much more fluctuating, increasing when large crops have created an extra demand for shipping facilities and falling off when changes in conditions of production or marketing have decreased the demand or have diverted the traffic to other centers than Chicago. Lake shipments of flour and grain as a whole have fallen from fifty-five per cent of all in 1894 to less than twenty per cent in 1915.

The value of the lakes to Chicago commerce cannot be adequately measured, however, merely by citing figures of traffic carried. Quite as important has been the effect of the lake route in keeping down railroad rates. In fact this restraint has been mutual, and the railroads in turn have served to lower lake rates and to stimulate improvements in shipping facilities to keep pace with similar improvements on the railroads. As a result of this competition the cheapest rail rates in the world for grain are the rates upon grain shipped from Chicago to New York.[20]

The principal receipts at Chicago by lake are of a very different character from those which constitute the shipments. Instead of grain the chief articles are iron ore, coal, lumber, salt, and similar commodities.[21] Iron ore is the principal commodity moved upon the Great Lakes and forms the bulk of the east bound traffic. This ore is obtained from the Lake Superior region, and is shipped to Lake Erie ports and in smaller measure to ports on southern Lake Michigan. Very little iron ore is

[20] For table see appendix, p. 510.
[21] For table see appendix, p. 510.

being or has been shipped from the upper lakes by rail because it cannot bear the heavy railroad charges. In 1900, for instance, out of a total of 19,059,393 tons shipped, only 489,078 tons went by rail.[22] The receipts of iron ore at Chicago, including South Chicago, have increased very steadily since 1895. Most of the ore goes to South Chicago, which is the center of the iron and steel industry of Illinois, by way of the Calumet river.

Receipts of coal by lake at Chicago have fluctuated, but on the whole have shown an increase. In comparison with rail receipts, however, they have made up a steadily diminishing proportion. The reasons for this are obvious. Eastern coal shipped by lake is now usually carried to Superior or Duluth in order that the ore boats may not return empty. On the other hand Chicago has received an ever-increasing amount of coal from recently opened mines in southern Illinois and Indiana, which necessarily reaches the city by rail.

Lumber receipts have steadily declined as the northern forests have been depleted or have been cut back from the lake front. Recently there has been a notable increase in the amount of package freight received at and shipped from Chicago by lake, and with proper terminal facilities a large increase in this class of business may be looked for. During the season the local shipment of fruit is important. The long distance freight consists of miscellaneous merchandise. The shipments show a growth parallel with the receipts, averaging about half as much as the receipts.

The lake traffic of Chicago, including South Chicago, as a whole has barely held its own during this period. In 1894 it amounted to 8,646,133 tons, and in 1915 to 10,227,830 tons and has remained at about the latter figure for a number of years. As between Chicago and South Chicago the latter has steadily gained at the expense of the former, especially since the development of the iron ore traffic. In 1906 South Chicago led for the first time with 51.7 per cent of the whole. A compari-

[22] *Report of the Industrial Commission,* 19:473.

son of the total tonnage of Chicago's lake traffic with that of other lake ports also shows that since 1904 Chicago has been surpassed by the lake commerce of Buffalo, Duluth, Superior, and Cleveland, though the value of the total commerce of Chicago exceeds that of any other lake port.[23]

Many reasons have been given for this stationary condition of Chicago's lake trade, and much of the blame has been placed upon the inadequacy of the Chicago river and harbor and upon the lack of proper terminal facilities for handling the freight. The harbor of Chicago consists of the Chicago and Calumet rivers, with their branches, and of the outer harbor of Chicago, inclosed by a breakwater. This outer harbor is mainly a protection to the Chicago river and is little used for commercial purposes, being today a harbor of refuge and a roadstead for small vessels and yachts. The most important part of the harbor is the south branch of the Chicago river, a narrow and tortuous stream, which is moreover obstructed with many bridges causing much delay and adding to the cost of transportation. In 1910 it was said there were about fifty bridges on the Chicago river and about forty on the Calumet.[24]

Agitation for improved harbor facilities was begun in 1908 when Mayor Busse sent a special message to the city council calling attention to the decline of the shipping trade of Chicago, which he claimed was due wholly to the inconvenience and inadequacy of harbor facilities. He recommended that a commission be appointed to consider this question as well as that of railroad terminals. In accordance with this suggestion the Chicago harbor commission was appointed.

The commission in its report the following year recommended that the two branches of the Chicago river be widened and straightened, that the bridges be improved and the bridge hours be modified. The obstacles to establishing adequate harbor facilities in the river were so great and apparently insuperable that a majority of the commission favored a plan for

[23] Jones, *Ports of the United States,* 348 *et seq.*

[24] *Report of Commissioner of Corporations on Transportation by Water in United States,* part 2, p. 220, part 3, p. 22.

establishing a harbor along the lake front, of which very little use had hitherto been made either for industrial or commercial purposes. Little has been done, however, in the way of carrying out these suggestions.[25]

By act of July 1, 1911, the legislature authorized the city council of Chicago to proceed with the work of harbor improvement, and acting under this authorization the subcommittee on harbor development held meetings and issued a further report. In this they urged the construction of a harbor immediately north of the mouth of the Chicago river, which they thought would best serve present needs and would care for the development of commerce for a decade.[26] In accordance with this suggestion the city has since constructed the first of a series of five piers on the lake front a short distance above the mouth of the river.[27]

The commerce of the Calumet region has grown greatly in the last decade and is destined to increase still more. The mistakes made upon the Chicago river have to a large extent been avoided in the development of the Calumet. The needs of Chicago for better harbor facilities cannot, however, be met by the improvement of this river, for its growth has been due to the development of the iron and steel industry and the consequent receipts of iron ore. Return cargoes are obtained at Chicago, and hence this city must establish its own harbor with adequate terminal facilities. It cannot depend upon South Chicago.

The practically stationary character of the lake trade of Chicago during the last twenty-five years is on the whole due to changes in centers of production and methods of marketing rather than to the inadequacy of harbor facilities. The decline of the grain, coal, and lumber traffic is due to natural causes quite unrelated to conditions in Chicago. The increase in the iron ore traffic has inured to the benefit of South Chicago and Gary rather than to Chicago itself. Package, freight, and passenger business seem to offer the most hopeful future for

[25] *Report of the Chicago Harbor Commission*, 1909, viii, 40 *et seq.*
[26] *Report of the Sub-Committee on Harbor Development*, 17.
[27] Jones, *Ports of the United States*, 351.

the city, but adequate facilities must be provided for them if they are to show a healthy growth.

The excellence of other avenues of transportation in Illinois — in the early period the waterways and later the railways — has always exerted a retarding influence upon the improvement of roads in the state. Even as late as 1894 these channels of trade remained substantially as they were fifty years before. The need for better roads in Illinois, which had lagged far behind other states in this respect, was recognized by leading men in the state.[28] But many persons, especially the farmers, were deterred from indorsing the good roads project because they were alarmed by their magnitude and expense. Moreover at this particular time the panic of 1893 and the ruinously low prices for agricultural products prevented any movement toward improvement.

By 1896, however, interest began to be renewed in the subject, which took the form of building short experimental stretches of hard roads. A novel experiment was the building of a steel wheelway near Joliet by Mr. Abel Bliss. This was followed by other similar sporadic experiments, but finally in 1901 a thorough trial was given the scheme on a track built near Chicago from designs prepared in the office of road inquiry of the United States department of agriculture. The wheelway did not stand up well under the heavy traffic to which it was subjected. Since then this method has been abandoned. Professor I. O. Baker, of the University of Illinois, stated that the result of experiments with this type of roadway showed them to be more expensive and less effective than a good macadam road. The first brick pavement was built this year in Monmouth township, Warren county,[29] and the following year the same town constructed five miles of macadam roads. The continued interest in the subject was also shown by its discussion at the conventions of engineers, surveyors, farmers' institutes, the Grange, and similar organizations.

[28] See messages of the outgoing and incoming governors in January, 1893. *House Journal*, 1893, 34-35, 54.

[29] *Engineering News*, 36:289; 47:365-366.

But numerous factors were working against the good roads movement at this time, which delayed if they did not defeat it. Many people thought any expenditure for this purpose was unnecessary as the electric interurban railroads, which were just then being introduced, were destined to replace hard roads in the more important rural districts. The local highway officials were bitterly opposed to any changes in road administration which would effect their tenure of office; and while the farmers favored good roads, they thought the earth roads could be improved sufficiently for their needs; hard roads should be built only on the most used highways; and before any program of road construction was entered upon, a more equitable distribution of their cost between the state and county and the property owners should be arranged. They were alarmed at the enormous cost involved. The Illinois State Grange, a representative farmers' organization, while approving good roads, opposed the issue of bonds to pay for their improvement.[30]

The continued agitation of the subject was, however, having an effect, and by 1903 public sentiment had reached such a state that the legislature passed an act providing for a good roads commission, consisting of three members who were to investigate and report on all phases of road improvement.[31] New interest was created in the subject. A road materials testing laboratory was established at the University of Illinois; several local "good roads" associations were formed; a few localities where stone was convenient built macadam roads.[32] The movement was also indorsed by the Illinois State Grange and the Illinois Farmers' Institute, though in each case with reservations.

When the general assembly convened in 1905 the time seemed ripe for some progressive road legislation. The report of the good roads commission pointed out that under the "hard roads" law of 1883 only twenty-six and one-half miles of macadam roads had been built in thirteen counties in twenty-two

[30] *Journal of Proceedings of Illinois State Grange,* 1900, p. 25.
[31] *Laws of 1903,* p. 302.
[32] *Engineering News,* 63: 131.

years. They accordingly urged the appointment of a permanent state highway commission and a state highway engineer to carry on the work under a more centralized administration. Stimulated by this report and by the recommendations of both the outgoing and incoming governors, the legislature passed a law providing for a state highway engineer and a permanent though unsalaried state highway commission which was to carry on investigations and experimental work on roads and to give advice in regard to highways and bridges to local road officials.[33]

As members of the new state highway commission Governor Deneen appointed Edmund J. James, Joseph R. Fulkerson, and LaFayette Funk, and they organized for business February, 1906. One of their first official acts was the publication of an "Open Letter to the People of Illinois," explaining their powers and purposes, with a view to allaying the hostility of the local units, whose particularism made any movement toward centralization all but impossible. Concluding, from their preliminary investigation, that much of the money which was being spent on road improvement was wasted, the commission first launched a campaign for better earth roads and for the use of the road drag. This resulted in a wave of enthusiasm for road dragging, which abated about 1908 as the results were not so great as had been anticipated;[34] but the use of the drag was revived again a couple of years later as its functions were better understood; and it has since been effectively employed down to the present time in earth road maintenance.

The state highway commission appointed in 1906 continued its work until 1913. During that period of seven years it conducted a campaign of education as to the advantages of better roads but left to the local units the actual work of road construction and maintenance. In the furtherance of its educational propaganda it carried on the following lines of activity: an investigation of the road building materials of the state; the

[33] *House Journal*, 1905, 209; *Laws of 1905*, p. 74-75.

[34] *Report of the Illinois Highway Commission*, 1906, p. iii; 1908-1909, p. 29-31. Mr. A. N. Johnson was appointed state highway engineer.

taking of a traffic census on various roads to determine the amount of through traffic; furnishing speakers to public meetings to explain the work and purpose of the commission; the building, under the direction of the state highway engineer, of experimental roads of various kinds, such as macadam, oil-treated earth, concrete, and brick; the distribution of free crushed stone prepared at the state penitentiaries; and giving advice and furnishing plans and specifications for bridges, especially of reënforced concrete or of steel, the number of which grew markedly under their influence.

Public opinion in favor of better roads as evidenced in the utterances of representative organizations showed a steady growth. The farmers, who were the most conservative element, fell in line gradually. In 1907 there was organized the "Farmers' Good Roads League of Illinois," which favored the construction of permanent hard roads on the main routes of traffic by federal and state aid.[35] County control of road work was being urged by the state highway commission, and in 1910 the Illinois Farmers' Institute indorsed the establishment of larger units for road administration, bond issues for road improvement, and larger appropriations for the commission. The State Grange, the most conservative of all the organizations, advocated a complete system of improved roads for the state, to be built by federal, state, and county aid, and the levying of an automobile tax to provide a fund for road improvement.[36] By 1912 it was clear that the bankers, business men, and progressive farmers throughout the state were in favor of state aid for road improvement and of a revision of the road laws of the state as the first step in the movement for better roads. In this movement the more general and growing use of the automobile was an important factor.

Road legislation was keeping pace with the growth of public opinion. In 1907 bond issues for hard roads were authorized by law, more restrictions were placed upon the powers of local

[35] *Report of the Illinois Highway Commission*, 1907, p. 15.
[36] *Journal of Proceedings of the Illinois State Grange*, 1911, p. 45.

highway commissioners in the repair and maintenance of roads, and a road drag law was passed permitting systematic dragging of earth roads. In 1911 a wide tire law was passed and a law appropriating all automobile license fees as a "road fund" for the construction of improved highways. In the same year the appropriations for the state highway commission were increased from twenty-five to one hundred thousand dollars per annum. A bill to create the office of county superintendent of highways failed to become law.[37]

Before taking further steps the legislature thought it wise to investigate the road situation even more thoroughly than had been done, and in 1910 a legislative committee of seven was appointed for this purpose. Their report showed the bad conditions existing in the state[38] and was followed by the appointment of another committee in 1911 with instructions to revise the road laws of the state and present their recommendations in the form of a bill. This committee reported that only about ten per cent of the ninety-five thousand miles of road in the state were improved in a permanent manner, while in the neighboring state of Indiana the proportion was thirty-eight per cent and in Massachusetts it was fifty per cent.[39] The roads of Illinois were moreover poorly constructed and maintained, and there was no uniformity in the road work as between adjacent townships and counties, that is there were no through roads. The committee made a most exhaustive report and embodied their conclusions in the form of a bill which was passed in 1913 under the name of the Tice road law.[40]

The Tice road law provided for a state highway department of three salaried commissioners, and a state highway engineer with assistant, subordinate officials, clerks, and other

[37] *Laws of 1911*, p. 106, 498-500; *Senate Journal*, 1912, special session, 4.

[38] *House Journal*, 1911, 690-693.

[39] This was an improvement since 1906, when ninety-five per cent of the roads were earth roads. See *Report of the Illinois Highway Commission*, 1906, p. v; *House Journal*, 1913, 207.

[40] Printed as part of *House Journal*, 1913, 1494-1575, and also issued as a separate publication. The accompanying bill is found, in *ibid.*, 1576-1617; *Laws of 1913*, p. 520-581.

assistants; it also provided for county superintendents of highways, state aid for the improvement of the more important roads in the counties, the use of convict labor, the reduction in the width of all public roads from sixty-six to forty feet, and the election of three highway commissioners in each township or road district. A provision was also inserted to permit the optional election of a single highway commissioner for local road administration, but political forces were too strong for this to be made mandatory for all counties.

Generous support was given by the general assembly to the new movement for improved roads. For the expenses of the new state highway commission $100,000 per annum was appropriated, while for the construction of state aid roads $400,000 was allotted for the fiscal year 1914 and $700,000 for 1915. The automobile license fees were to be used as a nucleus for this state aid fund. The next general assembly raised the annual appropriations for expenses to $200,000, and for road construction to $1,000,000 for the years beginning July 1, 1915 and 1916. The appropriations for the next biennium were $346,060 and $1,200,000 respectively.[41]

Some delay occurred in carrying out the provisions of the new law, owing to a suit brought to test its constitutionality, but it was upheld by the state supreme court. Actual work on the proposed system of state aid roads was inaugurated on April 15, 1914, when Governor Dunne turned the first shovelful of earth on the improvement of the Aurora-Elgin highway, reported to have been the first state aid road in the state. During the year the state highway commission awarded contracts for seventy-four sections of state aid road, aggregating 91.27 miles, of which 73.56 were of concrete and 17.71 of brick.[42] The average price of the concrete was $10,320 per mile, and of the brick $11,880 for a ten-foot pavement. Four-foot macadam shoulders on each side raised the cost $1,760 a mile. The highway commission estimated the cost of building the pro-

[41] *Laws of 1913*, p. 42; *Laws of 1915*, p. 76.
[42] *Engineering News*, 71:993; 72:1190.

posed 15,000 miles of improved roads at $140,000,000 or slightly over $9,000 a mile. It was evident therefore that with the limited appropriations for state aid, generous as they were, only very slow progress could be made in carrying out the proposed program for improved roads. Under the plan as provided for, the state bears one-half the expense of construction of road surfaces, all the cost of maintenance of concrete or brick roads, half the cost of maintenance of macadam roads, and none of that of earth roads.[43] Two counties, Cook and Vermilion, realizing the slow progress of road improvement under the state aid plan, voted, at the general election in November, 1914, for bond issues of their own for this purpose. Vermilion county voted a bond issue of $1,500,000 for a system of improved highways all over the county, the construction of which has since been in progress.[44] It now has completed or under construction about 170 miles of brick and concrete roads. Cook county voted a bond issue of $2,000,000 and up to January 1, 1917, had completed about 70 miles of improved roads, by the sale of bonds and state aid, and planned to build over 80 miles additional during the year 1917.[45]

By the enactment of the civil administrative code by the general assembly in 1917, which went into effect July 1 of that year, the department of public works and buildings was created. This now exercises the powers and duties of the state highway commission, the canal commissioners, the rivers and lakes commission, the waterway commission, and other similar bodies. Under the director of public works and buildings there are a superintendent of highways, a chief highway engineer, an assistant highway engineer, the necessary subordinate and clerical forces, and an unpaid board of highway advisors. The centralization of powers and functions thus secured will undoubtedly

[43] *Laws of 1915,* p. 602. To build the proposed fifteen thousand miles of state aid road would cost one hundred and fifty million dollars at an average of ten thousand dollars a mile. If the state bore half of this it would take seventy-five years to carry through the program with annual appropriations of one million dollars a year.

[44] *Engineering News,* 74: 1079.

[45] *Chicago Tribune,* January 28, 1917.

promote the work of road improvement and secure greater efficiency and economy in the public works of the state.

In 1917 steps were also taken to obtain larger means to carry forward the work of "pulling Illinois out of the mud." An act of congress passed in July, 1916, had apportioned the sum of $85,000,000 among the states to be spent for public roads during the five years beginning with 1917; and of this sum Illinois would receive about $3,000,000. During this year the general assembly of Illinois voted to submit to popular vote the question of issuing $60,000,000 of state bonds for road improvement, the proposition to be voted upon at the November election of 1918.[46] The participation by the United States in the European war, however, will prevent the immediate carrying out of this program, even in the event of a favorable vote.

The development of public sentiment in favor of improved roads in the state of Illinois, as elsewhere, has been slow but steady. It was hampered by ignorance of the principles of road construction, especially on the types of soil to be found in the state, by the distance of many localities from supplies of stone or other material for hard road building, by lack of familiarity with the physical conditions of road maintenance and of the effect of climatic changes, and by lack of appreciation of the economic value of improved highways to a community. As in other great economic movements, prejudice and conflicting interests for a time retarded development, but at the end of twenty-five years distinct progress may be noted, not merely in the growth of a favorable public opinion, but in better road legislation and in actual road construction. To this end the advent of the automobile and its increasing use among the farmers of the state both for pleasure and business purposes has contributed largely. The importance of the work of the state highway commission as an educational and experimental agency can scarcely be overestimated. But the time for such a movement in Illinois was ripe. The growing population with its

[46] *Laws of 1917*, p. 714-716.

expanding needs demanded better means of communication, which even the rapid development of the steam and electric railroads were not able to supply. A rapid continuation of this movement may be expected until Illinois is crossed in every direction with a network of improved highways adequate to her needs and importance.

VIII. LABOR ORGANIZATION AND LEGISLATION

THE labor situation in Chicago in 1894 was a serious one. The World's Fair boom had attracted to the city a large number of workers, who swelled the ranks of the unemployed after the momentary demand for labor ceased. Their situation was aggravated by the depression which followed the panic of 1893, and which filled Chicago with homeless and workless men. This city has always been noted for the large number of partially employed or wholly unemployed workers within its limits. In 1892 the number in the latter group was put at 130,000,[1] undoubtedly an exaggerated estimate in view of the opportunities for work; but in the winter of 1893–1894 it was declared by Mayor Harrison that there were 200,000 out of work.[2] This was due not merely to the presence in the city of an unusual number of persons seeking employment, but also to the partial or temporary cessation of accustomed lines of work as a result of the panic.[3]

The labor situation was profoundly affected by these changes in the labor market and in conditions of employment. During the early part of 1893 there were numerous strikes for increases of wages, which were generally successful and short lived.[4] After the effects of the panic began to be felt and the artificial stimulation given to business by the exposition wore off, however, strikes were more generally against reductions of wages or for restoration of the former

[1] *American Artisan,* May 7, 1892, p. 13.

[2] Closson, "The Unemployed in American Cities," *Quarterly Journal of Economics,* 8: 189.

[3] "At the close of 1892, up to the close of 1896, nearly all of the great manufacturing industries of Chicago were practically at a standstill." Testimony of M. B. Madden before the industrial commission, March 22, 1900, *Report of the Industrial Commission,* 8: 108.

[4] For a tabular statement of all strikes for 1893 and 1894, see "Strikes and Lockouts," *Report of the Commissioner of Labor,* 1896, 1: 236-258.

wage scale. Less frequently, too, were they successful. As usual the first outbreaks arose in the unstable building trades, which moreover suffered most severely as a result of the overproduction of the previous year. The building contractors had signed a wage scale on April 1, 1893, agreeing to pay forty cents an hour as a minimum, but two months later they complained that those contractors who had not bound themselves were getting men for thirty cents an hour under the altered conditions of the labor market. The agreement was submitted to an arbitration board which reduced wages to thirty-five cents an hour for the months of July, August, and September, the busiest months in this trade.[5] Strikes against reductions of wages were frequent in the building trades all summer — in August among the tile layers, the painters, and the riveters, in September among the painters, and in December among the steamfitters.

Resistance to wage reductions was even more widespread in the spring of 1894. The following are some of the strikes called for this single purpose in Chicago: carpenters, compositors, and upholsterers in February; plasterers, iron and brass workers, and canal laborers in March; painters and roofers in April; carpenters and cigar makers in May; coopers and engineers in June.[6] And what was true in Chicago was true on a smaller scale in the rest of the state. It was evident that in the industrial readjustment going on the workingmen suffered heavily as shown by the frequent strikes. In most cases, however, the men made no open resistance to wage reductions, but clung grimly to their jobs in spite of decreasing pay.

All these incidents, however, were reduced to insignificance by the historic Pullman strike, which occurred in the spring and summer of 1894. This momentous struggle began with an attempt of the workers at the plant of the Pullman Palace Car Company to restore wages which had been cut several

[5] *Arbeiter-Zeitung*, July 5, 1893.

[6] "Strikes and Lockouts," *Report of the Commissioner of Labor*, 1894, 1:236-258.

times during the past year, the average reduction for all employees averaging twenty-five per cent.[7] The men presented their demands to the Pullman Company, which answered by discharging the committee which presented the claims. The men thereupon struck on May 11. At first the strike was local in its nature, but it was soon made national in its far-reaching scope.

A year previously, in June, 1893, the American Railway Union had been organized in Chicago under the leadership of Eugene V. Debs. At this time it claimed to have a membership of 150,000. Unlike the railway brotherhoods, this organization included all railway employees, even those engaged in the allied trades of car building and equipment. It had therefore admitted to its membership some of the employees of the Pullman Company, enrolling about 4,000 in the months of March, April, and May, 1894. In the inclusion of these diverse elements and in the general character of its aims it resembled the Knights of Labor, and indeed at its convention in 1894 the American Railway Union adopted a resolution tendering "to the Knights of Labor its hearty alliance in all movements brought about for the elevation and benefit of the laborer."[8]

On June 22 the American Railway Union held its annual convention in Chicago and the strike among the Pullman workers came up for consideration. Although the officers of the union had advised against a strike at Pullman, they felt that the strikers must be supported, and decided that in case the company was not willing to arbitrate by June 26, the members of the union would refuse to handle Pullman cars and equipment after that date. As the company refused to submit the question of wages to arbitration or to recognize the American Railway Union, the strike order went into effect.[9]

[7] *The Strike at Pullman,* 17-18. See also Gompers, "The Railway Strike," *American Federationist,* 1:121, and an unsigned account in the *Railway Times,* July 14, 1894.

[8] *Ibid.,* June 15, 1894.

[9] *The Strike at Pullman,* 12.

Just as the Railway Union sponsored the cause of the Pullman strikers, so the General Managers' Association, representing twenty-four roads centering or terminating in Chicago, came to the aid of the Pullman Company. This organization had been formed in 1886 to determine a common policy as to freight rates, but it dealt incidentally with wages. The sympathetic strike directed against the Pullman Company now became a general struggle between the railroads and their employees. The distinction between Pullman and other cars could not be maintained and soon all train service was affected including the railway mail service. Rioting took place, trains were obstructed, railway property was destroyed, and even loss of life occurred. By July 6 the strike had been so far successful in its object that only six of the twenty-three roads entering Chicago were unobstructed in freight, passenger, and mail service.[10]

At this point the federal government took a hand in the struggle. A sweeping injunction was issued on July 2 against Debs and other officials in the American Railway Union enjoining them from interfering with the carrying of the mail or obstructing interstate commerce.[11] As these orders were not obeyed, President Cleveland on July 4 ordered United States troops into Chicago. This act was protested by Governor John P. Altgeld on the ground that it was an interference with state rights, and that the state troops were able to restore and maintain order. But the facts were against him and the federal executive proclaimed a state of insurrection, first in Illinois and later in railroad districts further west, and announced his firm determination to prevent any interference with the mails or with interstate commerce, to enforce the mandates and decrees of the federal courts, and to protect federal property from destruction. The state militia was also called out to maintain order in the city. The total force employed during the continuance of the strike was 14,186.[12]

[10] Cleveland, *The Government in the Chicago Strike of 1894*, p. 32.
[11] *Ibid.*, 21.
[12] Wright, *The Battles of Labor*, 140.

On July 10 Debs and three other officials in the American Railway Union were arrested for conspiracy, and on July 17 they were rearrested for contempt of court in violating the injunction issued against them. While the first effect of this action was to incite the strikers to more determined resistance, in the end it demoralized them and broke the strike. An attempt was made to call a general sympathetic strike of all trades in the city, but the movement went awry. On July 12 the executive board of the American Federation of Labor, together with the officials of a number of national trade-unions, met in Chicago to consider the situation. Although they expressed sympathy with the purpose of the strike they counseled the men to return to work. On August 5 the local unions called off the strike on all the railroads except two, and the strike was officially ended.[13] Debs was later sentenced to six months in prison and his three colleagues to three months each.

The effects of the strike did not stop here. The losses were enormous, aggregating, according to an estimate by Bradstreet's, for the country as a whole about $80,000,000. The American Railway Union lost its suddenly won power, while the railway brotherhoods, which have always been conservatively managed, gained greatly in influence and prestige. But most important of all was the definite establishment of the power of the federal government to prevent any obstruction of interstate commerce, even to the extent of employing United States troops for that purpose. Under the circumstances the defeat of the men was inevitable, especially in view of the condition of the labor market at the time.

Although the workingmen lost the Pullman strike, the bitterness generated by this conflict together with the hard times led them to attempt to redress their grievances by political action. In November, 1893, the Illinois State Federation of Labor had avowed its faith in this method. "The repeated deception," it declared in the preamble to its platform, "of

[13] "Report on the Chicago Strike of June-July, 1894, by the United States Strike Commission," *Executive Documents,* 53 congress, 3 session, number 7.

the laboring people by the Republican and Democratic parties emphasizes the necessity for independent political action on the part of the producers, and we declare that the reforms necessary to a successful solution of the labor problem can only be attained by entering the political arena with the firm determination to obtain administrative supremacy through the ballot box." [14]

At this same meeting the federation instructed its executive board to call within the next six months a conference of representatives of the Illinois State Federation of Labor, the Farmers' Alliance, the Knights of Labor, "and such other industrial bodies as may be deemed essential to the advancement of that unity of action and singleness of purpose which, when attained, is a great stride toward the success of our common aims." [15] Early in May appeared the call for the proposed convention, to be held in Springfield from July 2 to 4. All "*bona fide* industrial and political reform organizations" were asked to send delegates.

The object of this convention was to consider the desirability of independent political action on the part of labor, and to discuss as its platform a list of reforms which had been submitted to the American Federation of Labor at its Chicago convention in 1893 by Thomas J. Morgan, a socialist from that city, representing the International Machinists Union, and which had been the subject of debate by trade-unionists all over the country. This declaration called for compulsory education, direct legislation, a legal eight-hour day, sanitary inspection of workshops, mines and houses, an employers' liability law, abolition of the contract system on public works, abolition of the sweating system, municipal ownership of public utilities, nationalization of railroads, telegraphs, telephones, and mines, the collective ownership of all the means of production and distribution, and the referendum in legislation.[16] The

[14] *Proceedings of the Annual Session of the State Federation of Labor,* 1893, p. 21.

[15] *Ibid.,* 42.

[16] *Eight Hour Herald,* May 10, 1894.

section indorsing the collective ownership of all the means of production and distribution was known as plank 10 and figured conspicuously in subsequent discussions.

This political program was indorsed by a large number of trade-unions, and by the state federations of labor in Illinois and ten other states, including Ohio, Michigan, Wisconsin, Missouri, Kansas, and Nebraska. It also had the indorsement of city centrals in Cleveland, Toledo, Lansing, Grand Rapids, Saginaw, Milwaukee, and other cities. Fearful of its influence, the more conservative labor leaders, like Gompers, finally demanded that plank 10 with its pledge in favor of "the collective ownership by the people of all means of production and distribution," be stricken out.[17]

The peoples party had meantime arranged for a state convention to be held in Springfield on May 28, and it now invited the workingmen to come to its meeting. This party, representing primarily the discontented elements among the rural population, had first entered Illinois politics in the fall of 1892, but had secured only 20,000 votes out of over 800,000 cast in the state. General J. B. Weaver, the presidential candidate, obtained but 1,214 votes. The workingmen were not yet willing to desert the old parties and to organize separately for political action. Now, however, in the spring of 1894, the situation had changed. The workers were feeling the full effects of the depression in industry which followed the panic of 1893, and were ready to grasp at new remedies which offered a solution of their difficulties.

When the convention of the peoples party opened it was a motley gathering of heterogeneous elements representing all shades of reform opinion. Representatives were present from the Farmers Mutual Benefit Association, Farmers Alliance and Industrial Union, Knights of Agriculture, Industrial Legion, Knights of Labor, Illinois State Federation of Labor, socialist labor party, the Open Alliance, and the single taxers. Chicago sent a labor delegation headed by Thomas J. Morgan. The

[17] Commons, *History of Labour in the United States*, 2: 511.

platform drawn up by him was submitted and approved, with the exception of plank 10. A struggle over the adoption of this extreme socialist proposal ensued and resulted in the rout of the Chicagoans.[18]

When the date for the convention of the Illinois State Federation of Labor arrived the country was in the throes of the great railroad strike. Owing to the paralysis of the railroad system the delegates did not assemble until July 3. The composition of the gathering was not dissimilar from that which had met five weeks earlier under the auspices of the peoples party. It comprised trade-unionists, Knights of Labor, populists, single taxers, socialists, and even anarchists who avowed a faith in political action. Henry D. Lloyd, who at this time occupied a position midway between radical reform and socialism, appeared as a delegate from the Chicago German Typographical Union No. 9. When the gathering was called to order every one was in an excited and vindictive mood. On the second of July an injunction had been issued against the Pullman strikers which threatened to tie their hands, and on the fourth United States troops appeared in Chicago.

The platform was the center of discussion. The committee which had it in charge could not agree and submitted a majority and a minority report. The first was a reform platform, the second was radical and included plank 10. The single taxers and the conservative trade-unionists under the leadership of William C. Pomeroy, formerly a waiter but now a real estate dealer, lined up against plank 10, while the radical trade-unionists and socialists under the leadership of Morgan favored it. After two days of debate plank 10 was defeated by a vote of 59 to 49. The platform as adopted was practically the same as the one indorsed by the peoples party on May 28, containing the demands of both the farmers and the industrialists. The convention closed by indorsing the candidates for state offices nominated by the peoples party,

[18] *Chicago Tribune,* May 29, 1894.

and thus threw its political fortunes in with that organization.[19]

When the delegates returned home another struggle for domination took place within the party in Cook County. This time the trade-unionists were on one side and the radicals and socialists on the other. On August 18 some 875 delegates met in Chicago to nominate a county ticket. The trade-unions had the largest representation, namely 349; then came the American Railway Union with 189, the peoples party with 130, the socialist labor party with 130, the Knights of Labor with 58, the single taxers with 10, and the Turner societies with 9. The opposition between the two factions showed itself at the very beginning and an effort to elect a permanent chairman threw the meeting into disorder and broke up the assemblage. The trade-union faction threw its support in the ensuing elections to the democrats for state and railroad officials and to the populists for county officials.[20] The radical faction on the other hand remained true to its original purpose and carried through an independent campaign, indorsing the peoples party platform and candidates. The results of the election were a great disappointment, however, the average populist vote in Cook county being only about 31,000. None of the candidates were elected.

The new party had been made up of a number of incongruous and inharmonious elements — socialists, single taxers, farmers, and trade-unionists — and disaffection soon set in. Efforts to placate the different interests were unsuccessful, and gradually one group after another deserted the coalition and returned to its original allegiance. In the spring elections of 1895 the vote was only about half what it had been the previous fall. This was practically the end of the peoples party in Chicago. The socialists deserted it in the spring elections of 1896, and when W. J. Bryan was nominated for president of the United States by the democratic as well as

[19] *Eight Hour Herald,* July 10, 1894.
[20] *Arbeiter-Zeitung,* November 1, 1894.

by the populist convention the reformers joined the ranks of the democratic party from which most of them had originally come. The elements which had attempted to secure independent political action by the formation of a new party simply returned to their former allegiance.

The same dissatisfaction which had led some of the more radical labor elements to form an independent political party, also led to revolt among the existing labor organizations. The first to feel this was the Chicago Trades Assembly. Evils had sprung up in the twenty years of its existence since 1877. It was dominated by a clique of old "wheel horses" most of whom were no longer active in their trades; it had become a common practice for the presidents of the organization to be rewarded for political services by jobs at the city hall. And it was felt that if the assembly could not be purged of political and extraneous influences a new organization must take its place.

As the former seemed hopeless a secession of the dissatisfied unions took place, led by local union number 14 of the Cigar Makers International Union. In January, 1895, some sixty-five delegates met in its hall and organized a new central body. There were in this meeting representatives of the bakers, bookbinders, box makers and sawyers, carpenters, clothing cutters, garment makers, machinists, musicians, plasterers, press feeders and job printers, woodworkers, and the Bohemian Central Labor Union. A resolution was passed that no one should be admitted as a delegate who was not actually employed in his trade, and a committee was appointed to draft a constitution. The name subsequently adopted was the Chicago Trade and Labor Congress.

Although the congress disavowed politics the platform adopted showed strong populist influence and contained features which were purely political. It declared that the purpose of the organization was to hold meetings in the interest of labor, to settle difficulties between its members' trades and their employers, to secure effective sanitary inspection of fac-

tories, mines, and workingmen's homes, to protest against prison and child labor, to secure an eight-hour day and like pay for like work irrespective of sex, to abolish the truck system and secure payment of wages in lawful money; but it also declared for the direct election of the president and vice president of the United States, for the abolition of the senate, nationalization of the means of transportation and communication, reform of the judiciary, prohibition of stockjobbing, municipalization of public utilities, abolition of the contract system on public work, abolition of the fee system, an eight-hour day on public works, and the initiative and referendum. As an ultimate aim the congress set for itself the displacement of the capitalist system by the coöperative commonwealth. Here is found a large share of the peoples party platform including the socialistic plank 10.

It was evident that a body organized for these purposes was a political party rather than a trade-union organization. Accordingly the American Federation of Labor refused to recognize it. At its convention in New York, in December, 1895, the federation urged a union between the two rival bodies, and suggested a reorganization of the Trades Assembly so as to eliminate the objectionable features. It recommended that the old name and charter be retained, but that a new constitution be adopted and new officers elected.[21]

Both the Trades Assembly and the Labor Congress agreed to this plan but owing to hostility on both sides, were unable to reach an amicable settlement. The American Federation of Labor then issued a circular to the separate unions urging that they organize a new body on the lines suggested. Accordingly, delegates from some thirty-four unions met and took the initial steps toward the formation of a new central body. The result was the present Chicago Federation of Labor. The Trades Assembly declared itself dissolved prior to this meeting; the Labor Congress voted to dissolve soon after. On December 6 a new constitution was adopted.

[21] *Eight Hour Herald,* January 4, 1896.

The new organization was in every way a concession to the reform ideas of the secessionists who organized the trade and labor congress. By its constitution it barred employers, politicians, and ex-trade-unionists from membership. It declared for the election of the president and vice president of the United States by the direct vote of the people, the nationalization of all means of communication, the reform of the judiciary, prohibition of speculation in the necessaries of life, municipalization of public utilities, the execution of all city work by the city itself without the intervention of contractors, elimination of the fee system in public offices, abolition of tenement housework and the sweating system, and the introduction of the referendum.[22] This was closely modeled upon the platform of the Labor Congress two years before, and has been but little changed since.

By the organization of the Chicago Federation of Labor the Central Labor Union was left without a real reason for existence. It was refused recognition by the federation, and gradually the member unions deserted it in favor of the newer and more promising organization. After this its demise was only a question of time. An apparently abortive attempt to organize all classes of unskilled labor into a national body was made in 1902, when W. F. Smith founded the "Amalgamated Common Laborers of America," at Jonesboro, Illinois.[23] No further account of this organization could be found.

In 1898 the long period of depression came to an end, during which the problem of the workers was to hold the gains they had made, that of the trade-unions was to maintain their organization. With the return of industrial prosperity, however, a rapid expansion of labor organizations occurred. "At no time in its history, not excepting the throbbing year of 1886, did labour organization make such important gains

[22] Constitution and by-laws adopted December 6, 1896, and revised March 16, 1902, October 2, 1904, and June 17, 1906.

[23] *Journal of the Knights of Labor*, May, 1902.

as during the next five years."[24] Especially significant was the extension of the trade-union movement into hitherto untouched trades and among the unskilled, and into the industrially newer regions of the south and west. In this movement Chicago and the state of Illinois had a leading part and shared in the labor development and the struggles incident thereto.

The monthly reports from the various trade-unions throughout Illinois printed in the *American Federationist* during this period convey the impression that work was plentiful, strikes were not frequent and in general were quickly won by the workers, and that labor organization was spreading.[25] Some of the writers are quite evidently interested in reporting only the good things, but the general absence of complaints is strong evidence of prosperity. Increase in wages and reduction in hours were most frequently reported. The situation was summed up by a writer from Auburn as follows: "It is hardly worth while to put much time to organize new unions just now . . . . because every one is very busy and time cannot be spared for this work."[26] These good times continued with minor interruptions through the year 1907, when the after effects of the panic of that year began to be felt. The state board of arbitration in 1906 commented upon the comparative industrial peace in Illinois and explained it as due in the first place to industrial activity and good demand for labor—"wages . . . . higher than at any time in our history"—and secondly to the memory of the teamsters' sympathetic strike during the previous year.[27]

The prosperity of these years had, however, been interrupted by several serious disputes. One of the most long drawn out and important of these was the building trades dispute in Chicago in 1900 and 1901.[28] This was fought

[24] Selig Perlman in *History of Labour in the United States*, 2:521.
[25] *American Federationist*, 6:226; 7:74; 8:383; 9:382; 11:515.
[26] *Ibid.*, 8:383-384.
[27] *Report of the State Board of Arbitration*, 1908, p. 2.
[28] For a full account of this struggle see Bogart, "The Chicago Building

out between the Building Trades Council on the one side, representing the men, and the Building Contractors Council on the other. It was alleged by the men that the contractors wished to crush the Trades Council because they would not consent to make "exclusive agreements" to work only for members of the contractors council. The contractors insisted that they could no longer submit to the irresponsible tyranny and dictation of the Building Trades Council, though they expressed their willingness to treat with the constituent unions. The immediate cause of the strike was the demand on the part of the contractors that the carpenters work on Saturday afternoons beginning February 10. As the Saturday half holiday had been enjoyed by the carpenters since the momentous strike for an eight-hour day in 1890 they refused to accede to this demand, and suspended work. Sympathetic strikes and lockouts in allied building trades completely paralyzed building operations in the city and rendered about 50,000 men idle.

The progress of the struggle was marked by considerable bitterness and not a little violence. Various efforts to arbitrate the dispute were made, but they were all fruitless. By the summer many of the constituent unions began to desert the Trades Council and to return to work. Building operations were about normal by July, 1900. But the dispute dragged for over a year and was not formally terminated until April, 1901, when the Building Trades Council voted to disband. A few days later a new organization was formed by fifteen of the eighteen strong trades in the building industry under the name of the Chicago Building Trades League. This new body was formed by men in the old unions who wished to live up to agreements made with the contractors and was thus a victory for the better element in the trade-unions rather than for the contractors.

The same question of the trade agreement came up in the

Trades Dispute," *Political Science Quarterly*, 16: 114-141, 222-247. See also *Report of the Industrial Commission*, 8: ix-xxxii.

machinists' strike of 1900.[29] This strike was inaugurated in Chicago in March to secure exclusive employment of union men, a nine-hour day, increase in wages, and the limitation of apprentices. When these demands were refused by the employers about 6,000 men left their positions. The strike soon spread to other cities, involving about 9,000 men. At this point the dispute was taken up by the National Metal Trades Association, representing the employers, and the International Machinists Union, representing the men, and a trade agreement was drawn up between these two national organizations. This marked a long step forward in collective bargaining, and the substitution of the principle of arbitration for violence, but it was unfortunately broken the following year by the machinists' organization.[30]

The spread of trade agreements may be regarded as a sign of the growth in power, recognition, and responsibility on the part of organized labor. One of the earliest stable trade agreements in a local field was that of the Chicago bricklayers in 1887, but the first one on a national scale was that between the molders and National Association of Stove Manufacturers in 1891.[31] A great impetus was given to this movement in 1898 when a general agreement was made between the coal operators and the miners' union in the bituminous coal district of Illinois and the neighboring states. The agreement of the machinists in 1900 was another stride in the same direction, but their action the following year under the leadership of irresponsible leaders threatened to destroy the willingness of employers to enter into engagements with labor organizations. In 1902, however, a strong stand for the maintenance of contracts was made by John Mitchell, the president of the United Mine Workers of America, who refused to order a sympathetic strike of the bituminous coal miners at the time of the anthracite strike, because they had

[29] Bogart, "The Machinists' Strike, 1900," *Yale Review*, 9:302-313. See also *Report of the Industrial Commission*, 8:v-viii.

[30] Bogart, "The Machinists' Strike, 1901," *Yale Review*, 10:249-267.

[31] Commons, *History of Labour in the United States*, 2:480.

a time agreement with the operators which he refused to break.[32] Both the miners and the operators were organized and had made joint agreements providing for arbitration of disputes. This had brought an era of peace into the bituminous coal district such as it had never before experienced. "The coal operators and miners of the State furnish an example of the peace that usually follows the perfection of organization. For many years miners' strikes were the most serious labor disturbances from which the State suffered."[33] At present the trade agreement is one of the most generally accepted principles in the labor movement in the United States. With the development of strong, responsible, and ably led labor organizations, which can bargain on fairly equal terms with their employers, this method may be expected to take the place of strikes and lockouts and violent disputes.

The more serious strikes during the following years were those of the freight handlers in Chicago in 1902 involving some 8,000 or 9,000 men; of some 5,000 cooks, waiters, and other help in Chicago hotels and restaurants in 1903; of the United Garment Workers of America in 1905, which was followed by a sympathetic strike of the teamsters, the latter resulting in a great deal of violence, destruction of property, and even loss of life. In 1906 occurred a great miners' strike, involving some 60,000 men, over restoration of the wage scale which had been cut in 1904; the men finally won their demand.[34] The telegraphers' strike in 1907 in Chicago, Springfield, Rockford, and other Illinois cities was a failure. The year 1908 was one of industrial depression, following the panic of 1907, but the next two or three years were characterized by unusual activity among organized workers of Illinois. The most serious disputes which arose were the seamen's strike in 1909 and the miners' strike in 1910. The vessel owners, organized as the Lake Carriers Association,

[32] *Ibid.*, 525.
[33] *Report of the State Board of Arbitration*, 1903, p. 1.
[34] *Ibid.*, 1902, p. 65; 1903, p. 22; 1906, p. 2, 30, 57-63.

had for several years been trying to break up the unions of the workers, although they had had agreements with several of the crafts, but now they declared for the open shop and were able finally to disrupt the unions.[35] The strike of the miners was a periodic outbreak, this time a little larger — 72,000 men were involved — and more extended than usual, against the conditions in the bituminous coal district. Many more men were kept at the mines than could find employment there and as a result the average mine ran only about 200 days in the year. The annual wage therefore was down to a starvation basis. The main issue was a demand for an increase of wages, but there was also a dispute as to who should pay the shot firers provided for by the law of 1905. On most points in dispute the miners were victorious.[36]

Another movement which in recent years has been attracting much attention, not only in labor circles but among all observers of labor development, is the growth of socialism. This has made rapid progress since about 1900, and in this movement Illinois has borne a rather conspicuous part. Any attempt in this state to trace the growth of socialism among the workers leads one into a confused tangle of new organizations, splits, attempted reconciliations, cross-purposes, and personal jealousies. Out of it all has arisen the socialist party of Illinois as the leading standard bearer of the radical elements. The origin of this party in Illinois may be dated back as early as 1896. Up to this time socialism in the United States had been more or less of an exotic bearing the stamp largely of German Marxism. Now, however, it developed in the western country and grew directly out of American conditions.

Eugene V. Debs had become a socialist while serving his prison sentence growing out of the Pullman strike, largely through the efforts of Victor L. Berger. In the fall of 1896 he became the organizer for a visionary group known as the

[35] Hoagland, *Wage Bargaining on the Vessels of the Great Lakes,* chapters 4 and 5.

[36] *Report of the State Board of Arbitration,* 1910, p. 52-63.

Brotherhood of the Coöperative Commonwealth. Its object was to colonize a state with coöperators until they should become numerous enough to capture the political power of the state and turn the whole into a coöperative commonwealth.[37] Two or three other organizations were later merged with this, including the American Railway Union, and the new body took the name of the Social Democracy of America. The name of the *Railway Times* was changed to that of *The Social Democrat,* which became the official organ of the body, and it was moved from Terre Haute, Indiana, to Chicago where the headquarters were to be situated. Debs was elected chairman of the executive board.

At the very first convention of the new party, held in Chicago in June, 1898, a split took place between the more Utopian coöperationists and the socialists who believed in political action. Headed by Debs, Jesse Cox, and Seymour Stedman, of Chicago, the latter faction bolted the meeting to found still another organization, the social democratic party of America. This was the parent of the present socialist party, which may therefore claim to have been born in Illinois.

There was in existence at this time another older socialist group, the socialist labor party, which, as pointed out above,[38] had allied itself with the populists in 1894. Between this group and the new social democratic party there were, however, certain fundamental differences, the most important of which was the attitude of the two organizations toward labor unions. The socialist labor party condemned craft unionism, favored the organization of separate socialist labor organizations, and attempted in the nineties to organize a socialistic Trade and Labor Alliance as a rival of the American Federation of Labor. The social democratic party (now the socialist party) on the other hand was on friendly terms with the trade-unions. Thus,

[37] *Railway Times,* January 1, 1897. As a result of this movement the colony of "Equality" was organized in 1897 in Skagit county, Washington, with 620 acres. In 1898 the colony became autonomous since which time the brotherhood has had merely a nominal existence.

[38] See p. 162.

one of the two socialists in the forty-ninth general assembly of Illinois, writing of his activities in the session of 1913, stated that he was in close touch with the labor representatives present in Springfield during the session. "Thus I had come to be regarded as speaking not merely for the two Socialists in the house but in a sense as a representative of the labor movement in the state which of course gave considerable strength to my position." [39]

In 1899 there was a split in the national socialist labor party which soon spread to Chicago. Section Chicago of the national party declared its independence,[40] and thereby drew the ire of the alliance faction which organized a new section. Although it was stated at the time that the new section was organized with only ten members, it is through this group that the socialist labor party of Illinois has continued its obscure existence down to this day. In 1899 it polled about 1,100 votes; in 1900, only 400; and in 1901, 650.

Meantime a split had also occurred in the social democratic party. The question of a union with the socialist labor party had come up, but as it insisted upon retaining its name for the combined organization, it looked as if a union could not be secured.[41] The party thereupon divided into the unionists and no-unionists. In May, 1900, the no-union faction met in state convention at Chicago and nominated a state ticket but retained Debs and Harriman, previously nominated by the entire party, on its presidential ticket. In July the union faction met together with the union socialist labor party, indorsed Debs and Harriman for president and vice president respectively, nominated a state ticket, and adopted the compromise name socialist party of Illinois. The folly of uniting upon

[39] Madsen, "Work in the Illinois Legislature," *American Labor Year Book*, 1916, p. 108.

[40] *Workers' Call*, July 22, 1899. This paper first appeared in March 11 of this year. It was published "for and under the control of Section Chicago of the Socialist Labor Party of Illinois by the Socialist Publishing Association, a corporation without capital stock, the whole revenue of which must be expended for socialist propaganda." A. M. Simons was editor.

[41] *Ibid.*, February 10, 17, 1900; *Social Democratic Herald*, April 7, 1900.

national candidates and fighting each other on local candidates finally impressed even the warring factions of the two parties and they agreed to work together for the campaign. Their united effort secured 6,752 votes at the fall elections. In September, 1901, after considerable bickering, the local socialist factions in Illinois met and united permanently under the name of the socialist party of Illinois.[42] The *Social Democratic Herald,* the official organ of the former no-union factions, was moved to Milwaukee; *The Workers' Call,* the official organ of the late union group, was suspended; and in place of these the *Chicago Socialist* was established as the organ of the new party.

Illinois claimed 6,004 regular members of the socialist party in 1915, but the party ticket had received 50,607 votes at the last election. In this year there were 44 socialist elected officials holding office throughout the state in the following capacities: 1 mayor, 18 aldermen, 2 state legislators, 5 school officials, and 18 unclassified.[43]

While the workers were struggling for the improvement of their conditions by means of their own organizations, the state of Illinois was legislating in their behalf in a variety of ways. As the mining industry of the state developed earlier than any other except agriculture and as this is a peculiarly hazardous business, it is only natural that legislation for the protection of miners should be among the first to be passed. The first general law on this subject was enacted in 1872, and covered the general subjects of ventilation, escapement shafts, bore holes, signalling, hoisting, explosions, and accidents. This applied to all mines in which more than ten men were employed, and its enforcement was placed in the hands of the county surveyors, who were constituted *ex officio* inspectors of mines. As this did not work very well, county mine inspectors were provided for by the act of 1877.

Additional safeguards to the health and safety of persons

[42] *Workers' Call,* September 1, 1900, September 28, 1901.

[43] *American Socialist,* January 22, 1916; *Appeal Almanac,* 1916, p. 195; *American Labor Year Book,* 1916, p. 105.

employed in mines were introduced in 1883; the minimum age limit for child labor was raised from 12 to 14 years; and the act was made to apply to all mines. A board of examiners and five state mining inspectors instead of the county inspectors were provided for. Frequent amendments were made to this law and in 1899 a general revision of mining legislation was effected. By this act the powers of the state mining board were considerably enlarged and better provisions made for the health and safety of the miners. In 1910 a mining investigation commission was appointed which codified and revised the various laws relating to mining and introduced some new features.[44] The measures recommended by this body were enacted into law with little change by the legislature, and were somewhat further extended in 1913. Of this legislation Governor Deneen was able to say in his message to the legislature in the latter year, "The mining laws of the state have been completely revised and are now considered the most advanced either in this country or elsewhere."[45]

The mining legislation goes into great detail in laying down specific requirements as to conditions which must be maintained in mines so as to safeguard the lives and safety of the men employed therein. These requirements deal with the sinking of shafts, hoisting equipment, stairways and cages, light, signals, safety lamps, ventilation, refuge places, and a number of other points. Another group of provisions compels certain precautions to be observed for the prevention and controlling of fires and prevention of loss of life from fires in coal mines. These cover such points as water supply, pipe and hose connections, automatic sprinklers, fire extinguishers, telephones, passageways, and similar details. In some of the requirements, such as providing telephones, Illinois was a pioneer, and in all of the legislation was well abreast of the best legislation on the subject.

Other acts provided for the testing and stamping of blasting

[44] *Report of the Mining Investigation Commission,* March, 1911.

[45] *Governor's Biennial Message to the Forty-Eighth General Assembly,* January 8, 1913, p. 71.

powder to be used in the mines, required shot firers to be furnished for all mines and laid down careful rules for firing of shots, prevented the employment of women and children in mines, called for frequent inspection of mines by state inspectors, and in other ways attempted to lessen the dangers and increase the well-being of those engaged in mining. A state mining board was established which was to examine persons wishing to be mine inspectors, to publish an annual statistical report and to administer certain features of the foregoing mining legislation. The number of state mine inspectors was increased to twelve and upon them falls the duty of seeing that the laws are enforced.

Steps have also been taken to make sure that the men employed as miners shall be competent and trustworthy. In 1897 it was provided that before a man could work by himself he must have had two years practical work as a miner. In 1908 examining boards were created in each county in which coal mining was carried on, but in 1913 a single state miners examining board was established in their place. Any person wishing to be employed as a miner in the state must take an examination and obtain from this board a certificate of competency. In such a dangerous industry as mining, such a safeguard is peculiarly necessary.

The hazardous nature of the industry also led, in 1910, to the establishment of mine rescue stations, for the purpose of providing prompt and efficient means of fighting mine fires and saving lives and property jeopardized by fire. Three stations have been established in the northern, central, and southern coalfields of the state. Finally in 1911 the last step in this program of mining legislation was taken by the establishment of miners' and mechanics' institutes. The purpose of these institutes is by education to promote the technical efficiency of persons engaged in mining or mechanical pursuits. Courses have been organized in a number of mining towns, lectures given, and, beginning in 1914, a short course has been offered at the University of Illinois.

Another step in labor legislation was taken in 1879 by the creation of a bureau of labor statistics. This seems to have been done as the result of the report of a special committee on labor which reported to the house of representatives in March of that year.[46] For forty years this bureau published biennial statistical reports relating to all departments of labor in the state. In 1909 a new act extended the duties of the board so as to make their statistical report cover not only labor conditions but also commercial and manufacturing conditions as well. The bureau has undertaken in its discretion various investigations upon subjects connected with the welfare of the laboring classes. For instance in 1894 and 1896 it discussed the subject of taxation, in 1900 kindergartens and manual training, in 1908 public ownership of municipal utilities. While the statistical matter is often undigested the reports as a whole throw valuable light upon the conditions and progress of labor in the state for almost forty years.

The increasing industrialization which was going on soon called for more active intervention on the part of the legislature to correct growing evils than by the mere collection of information. The abuse which first attracted attention in connection with the development of manufactures was that of child labor.

The first child labor law had been enacted in 1891, but as no department or any particular officer was charged with the duty of enforcing it, the law remained a dead letter. The employment of children under thirteen years of age was forbidden by this act; and school boards were authorized to issue employment certificates for children over the age of thirteen who had attended eight weeks of school. The act applied to stores, shops, factories, and manufacturing establishments.

The first important child labor law and one which really marked the introduction of a new era in labor legislation was that creating a department of factories and workshops, approved June 17, 1893. The prevailing unsanitary conditions

[46] *Reports General Assembly*, 1879, 1 session.

in the garment trade seem to have prompted the passage of this act, for Chicago had just experienced an epidemic of contagious diseases the origin of which was traced to the sweatshops. Indeed, the act was entitled "An act to regulate the manufacture of clothing, wearing apparel, and other articles in this state." Incidentally child labor was regulated, the minimum age limit below which children were prohibited to work being raised from thirteen to fourteen years in factories, workshops, and sweatshops. For children between fourteen and sixteen years of age, affidavits by the parents or guardians, certifying to their age, and certificates from physicians certifying to their physical fitness for their work, were prescribed. The employment of women was limited to eight hours a day, but this provision was later declared unconstitutional by the state supreme court.[47] Finally, the act established the department of factories and workshops, to which was intrusted the enforcement of the provisions just enumerated.

The first report of the factory inspector showed that most of the efforts of that office were being directed toward the enforcement of the child labor provisions. Florence Kelley was appointed chief inspector by Governor Altgeld, and brought to the work knowledge, sympathy, and courage. During the first five months, 2,452 places were inspected, in which 68,081 persons were employed, of whom 6,576, or 9.7 per cent, were children between the ages of fourteen and sixteen.[48]

This act was extended in 1897 to offices, laundries, mercantile institutions, and stores, thereby taking in most trades and occupations where children were employed.[49] At the same time the hours of employment of children under sixteen years of age was limited to ten hours a day and sixty a week. The control of the garment trades and of the sweatshops was relegated to a subordinate position, while the regulation of child labor became the main object of the new legislation.

[47] Ritchie *v.* People, *155 Illinois*, 98.
[48] *Report of the Illinois Factory Inspectors*, 1893, p. 90, 122.
[49] *Laws of 1897*, p. 90-91.

But there were several weaknesses in these early acts. Night work of young persons was not regulated, nor were sufficient safeguards thrown about their employment in occupations dangerous to life or detrimental to their health or morals. But perhaps the greatest weakness was the provision which permitted children to be employed upon the affidavit of their parents, a provision which encouraged perjury rather than prevented child labor. In the year 1901 it was estimated that there were 5,000 more children under sixteen years of age employed in the state than during the previous year, and in 1902 there were 15,000 children working in Chicago alone, of whom 3,000 were employed on false affidavits.[50]

As a result of vigorous agitation a special committee was appointed to draft a new child labor law, of which Edgar T. Davies, chief factory inspector, was chairman. The bill drawn up by this committee, with some modifications, was finally passed by the legislature with only one dissenting vote, and became a law on May 15, 1903.[51] The scope of the regulation of child labor was greatly broadened by this act, and many new features introduced, of which the more important were the following: the employment of children under the age of fourteen in any occupation is forbidden when the schools are in session. Their employment at any time is forbidden in places of amusement where intoxicating liquors are sold, or in any mercantile establishment, store, office, hotel, laundry, manufacturing establishment, bowling alley, passenger or freight elevator, factory or workshop, or as messenger or driver. In fact, agriculture and the street trades are almost the only occupations not closed to children under fourteen. The law also forbids the employment of children in certain designated occupations — over twenty being specifically enumerated — which are generally regarded as hazardous, and also their

[50] *Report of the Illinois Factory Inspectors,* 1907, p. 15.

[51] *Ibid.,* 16. This striking approval was due largely to the efficient work of Miss Jane Addams and her coworkers during the debate on the measure. *Laws of 1903,* p. 187 ff.

employment in other places which may be considered dangerous to life or limb or injurious to health or morals. Acting under this provision the factory inspector ruled that coal mines were dangerous, and on December 9, 1904, child labor in Illinois mines ended, some 2,200 children being discharged on that date.[52] The hours of labor for children under fourteen years of age are limited to eight in any one day and forty-eight per week, and no child is permitted to work before 7 A. M. nor after 6 P. M. Instead of the employment certificate provided for under the old law, an age and school certificate must be secured by all children under sixteen, to be sworn to by the parent or guardian and approved by designated school authorities. These certificates must be kept on file by the employer and a register of all children employed must also be kept. The constitutionality of this act was upheld by the United States supreme court on December 1, 1913.[53]

The advance marked by these measures, it was declared by Mrs. Kelley, "amounts to a revolution, and has placed Illinois in 1904 where Massachusetts has stood since 1894," while another official stated that "Illinois now has the best laws in the country to protect its children."[54] The percentage of child labor in the state was decreased in the six years between 1902 and 1908 from 3.7 to 1.3 per cent, which was claimed by the chief factory inspector of Illinois in the latter year to be the lowest percentage of child labor of any state in the union.[55]

In spite of this laudation and the undoubted good results of this legislation, especially in the prohibition of labor for children under fourteen years of age and the institution of the eight-hour day, there still remained gaps or weaknesses in

[52] *Report of the Illinois Factory Inspectors,* 1907, p. 15.

[53] Sturges and Burn Manufacturing Company *v.* Beauchamp, *231 United States,* 320 (324).

[54] Kelley, "Has Illinois the Best Laws in the Country for the Protection of Children?" *American Journal of Sociology,* 10:300. W. L. Bodine, in *Juvenile Court Record,* August, 1904. Mr. Bodine was superintendent of compulsory education in Chicago.

[55] Davies, "The Present Situation in Illinois," *Annals of the American Academy of Sociology and Political Science,* 33:154-155 (June, 1909).

the child labor laws. One was the inapplicability of the acts to newsboys and other street trades. Another was the possibility of illiterate children who had attained the age of sixteen being permitted to work without any provision for their further education. As a result of this defect Illinois in 1904 ranked fifteenth among the states in illiteracy.[56] But in spite of these drawbacks great progress had been made in the protection of child labor, and from one of the worst states in this respect, Illinois now took rank with the half dozen best states in the union.

In addition to the child labor laws, other legislation has been passed directed against specific abuses and designed to protect the health and safety of the workers. An act to compel the use of blowers on metal polishing machines was passed on June 11, 1897. This law aims to protect the health of metal polishers, grinders, and buffers by requiring an efficient exhaust system to be installed above every emery wheel to carry away the dust from grinding, thus preventing the men from contracting tuberculosis and similar diseases. The factory inspector reports[57] that there is little difficulty in inducing employers to install suction systems, but that there has been difficulty in having the systems maintained in a state of real efficiency. During the year ending June 30, 1916, there were made 1,104 visits to 339 shops and factories throughout the state, of which 329 were located in Chicago. These shops employed 3,122 persons at metal polishing operations.

A fire escape law was also passed on July 1, 1897, repealing the previous law of 1885 on this subject. By this act all buildings more than four stories high, and all buildings more than two stories high used for manufacturing purposes, hotels, dormitories, schools, seminaries, hospitals, asylums, and all public halls were required to be equipped with a sufficient number of fire escapes. The law was bitterly opposed by the

[56] Kelley, "Has Illinois the Best Laws in the Country for the Protection of Children?" *American Journal of Sociology,* 10:299-314.

[57] *Report of the Illinois Factory Inspectors,* 1915-1916, p. 41.

Manufacturers' Association of Illinois, and it was found almost impossible to enforce.[58] In 1899 it was repealed.

Except for the new child labor law of 1903 little factory legislation was passed for a decade, but in 1907 two additional acts were passed aimed at evils in particular occupations. The butterine and ice cream inspection act compelled manufacturers of these products to maintain their establishments in a thoroughly healthful and sanitary condition. The structural iron law was designed to protect the lives of persons working on structural iron buildings and of those passing beneath them. Both these measures were approved on June 3, 1907. In this connection may be mentioned also the safety appliance act of May 12, 1905, which required the use of safety appliances, automatic couplers, and other devices for the protection of railroad employees and the traveling public. The act created the office of inspector of safety appliances to enforce compliance by railroads with the terms of the act.

The next session of the legislature passed two new measures, the first of which is commonly known as the health, safety, and comfort act, approved June 4, 1909, and the other as the woman's ten-hour law, approved June 15, 1909. The former of these measures provides in general for the health, safety, and comfort of all employees engaged in factories, mercantile establishments, mills, and workshops throughout the state. It goes into great detail in providing for the maintenance of proper conditions in these establishments, and covers such points as safeguarding machinery, elevators, eating rooms, seats, temperature, air space, gases, dust, fire exits, lights, water closets, washing facilities, and similar necessities.

After the supreme court of Illinois in 1895 had held unconstitutional the act of 1893 providing an eight-hour day for women, no further attempts to limit the long hours of labor for women were made for fourteen years. But in 1909 an act was passed which forbade the employment of women more than ten hours per day in mechanical establishments,

[58] *Laws of 1897*, p. 222; *Report of the Illinois Factory Inspectors*, 1898, p. 7.

factories, or laundries. Two years later this list was greatly extended by adding a large number of other places of employment, as mercantile establishments, hotels, restaurants, telegraph or telephone offices, places of amusement, express, transportation or public utilities companies, common carriers, and public institutions. While this law marks an improvement, it is far behind the standard of eight hours established by the laws of a great number of other states.

Another law looking to the improvement of the condition of working women was the "mothers' pension act," which provides a pension fund to enable poor mothers to keep their children at home instead of sending them to charitable institutions.

The occupational disease law of 1911 was pioneer legislation in America along this line, and followed an exhaustive investigation and report of a committee appointed two years previously to study the subject of industrial diseases in this state. This law aims to protect the health of employees in certain dusty and poisonous trades harmful to their health, the most dangerous probably being the lead trades. Separate clothes, lockers, and bathing facilities must be provided for men engaged in these occupations; poisonous fumes and dust must be carried off by adequate devices; and employees are forbidden to take food into the workrooms. Monthly physical examinations of all employees exposed to industrial diseases must be made by competent physicians at the expense of the employer. During the year ending June 30, 1916, the factory inspector reported that of 8,630 employees examined, 157 were suffering from occupational diseases, of whom 138 were sick from lead poisoning.[59]

The principle of this legislation was carried further by the enactment of the washroom law of 1913,[60] which compels employers in certain occupations where workmen become covered with dirt and perspiration, as in foundries and machine

[59] *Report of the Illinois Factory Inspectors,* 1915-1916, p. 39.
[60] *Laws of 1913,* p. 359.

shops, to provide sanitary washrooms with hot and cold water.

The so-called basement law, approved June 29, 1915, was passed to secure more healthful working conditions for employees in certain industries by forbidding them to be carried on in basements. The employments named are metal polishing, grinding, plating, and dipping, in all of which good ventilation is essential to health.

All these laws are enforced by the department of factory inspectors, whose duties have steadily grown with the increase in the number of statutory provisions safeguarding the lives and safety of the workers. The office of state factory inspector was first created by the act to regulate the manufacture of clothing, in 1893. As authorized then the department was to consist of a chief inspector, an assistant, and ten deputies, of whom half were to be women; in 1916 it was composed of a chief, assistant chief, physician, attorney, thirty deputy inspectors, and a staff of clerks, stenographers, and special investigators.[61] The inspections for this year were 76,593, in almost sixty-five thousand establishments. During the twenty years of its existence between 1893 and 1913 the total expenditures of the department amounted to $742,750, or at the rate of about twelve cents per capita per annum for the employees who come under the scope of the acts enumerated. Other labor legislation has been passed which is not enforcible by the factory inspector, but only by criminal penalties. Such are the child labor provisions of the criminal code, the specific provisions in the mining law regarding labor by women and children, the semimonthly payment of wages by corporations, the protection of chauffeurs, and masons' examining boards.[62]

By these various enactments the state of Illinois has emphatically put the stamp of its approval upon the principle of

[61] *Report of the Illinois Factory Inspectors,* 1915-1916, p. 18-19.

[62] *Illinois Factory Inspection Bulletin,* volume 1, number 2, p. 15; *Laws of 1913,* p. 334, 356, 358. See Dodd, "A Report on the Administration of Labor and Mining Legislation," *Report of the Efficiency and Economy Committee,* 511.

interference with unrestricted private business. It has done this in the name of the moral and physical health of society, and has gradually but steadily enlarged the scope of its protective legislation from children in a few selected industries to practically all workers in an ever-increasing list of occupations. The enforcement of this legislation has probably not kept pace with its enactment, owing to the insufficient number of inspectors. Most of the work of inspection is, moreover, done in Chicago and the remainder of the state is comparatively neglected. While the record is one of which the citizens of Illinois may justly be proud, it is evident that any slackening of endeavor will result in retrogression.

In addition to improving the conditions of work in certain specified occupations, or for certain groups of workers, the legislature has also sought to provide the machinery by which disputes between labor and capital may be avoided or settled. The state board of arbitration was created in 1895. This body has powers of investigation, of conciliation, and of arbitration. In any dispute involving not less than twenty-five persons the board is required to "endeavor by mediation to effect an amicable settlement," or it may act as a board of arbitration upon application by the employer or employees, and finally in 1901 it was given authority to conduct an independent investigation in any case where the general public is likely to suffer injury or inconvenience.

The board of arbitration was established soon after the great railway strike of 1894, in response to a popular demand that something should be done to prevent a repetition of its excesses. It has been somewhat more successful in its attempts at conciliation than of arbitration, but apparently has in no instance made use of its powers of investigation and report, which in Massachusetts and other states have proven so effective in bringing public pressure to bear upon the party at fault. The results of the board's twenty odd years of work in Illinois hardly justify its continued existence.

One of the gravest evils of our modern industrial system

is that of unemployment; and this evil too the legislature has attempted to meet and cure, in part at least, by the establishment of free employment offices. By an act approved April 17, 1899,[63] free employment offices were created, one in each city of not less than fifty thousand population, and three in each city containing a population of one million or over. Accordingly offices have been established throughout the state as follows: three in Chicago (1899), and one each in Peoria (1901), East St. Louis (1907), Springfield (1909), Rock Island-Moline (1913), and Rockford (1913). For the year ending September 30, 1914, these eight offices had 70,230 applications for employment and 61,666 applications for help on the part of employers. Positions were secured for 56,537, or 80.5 per cent of those who applied.[64] For an industrial state like Illinois this is not a very good showing and indicates that most of the work of this sort is still being performed by private employment agencies. A majority of the positions applied for and filled were unskilled manual labor on the part of men and domestic service on the part of women.

Hand in hand with the creation of free public employment offices went the licensing and control of private employment agencies. The act of 1899 provided for the licensing of these agencies by the secretary of state upon payment of an annual license fee of $200. In 1909 the control was transferred to the state board of labor commissioners and the fee was reduced to $50 in cities of over 50,000 inhabitants and to $25 in all other cities. Various provisions exist as to amount of fees, sending applicants to places where no employment exists or to undesirable places, and similar matters in which abuses existed. Inspection is provided for, but has practically not been enforced outside of Chicago.

The capstone was placed upon this protective arch of labor legislation which had been building during the previous generation by the passage in 1911 of the workmen's compen-

[63] This law was superseded by a similar act in 1903, amended in 1913.

[64] *Report of the Bureau of Labor Statistics of Illinois: Free Employment Offices*, 1914, p. 8.

sation act. The purpose of this measure was to secure compensation for employees who were injured in the course of their work, without the necessity of their suing for damages in a court of law, a method which was both too expensive and too protracted for the average worker to avail himself of. The passage of the act followed a long agitation and discussion of the subject, in which effective service was rendered by Professor Charles R. Henderson of the University of Chicago and his coworkers. It was clearly shown that under modern conditions the losses involved in industrial accidents must be borne by the industry itself, and that it is neither just nor expedient that the burden be placed upon the shoulders of the workers and their dependents.

The first workmen's compensation act of 1911 applied only to certain designated employments, but the new law of 1913 as amended in 1917 has enlarged the list and introduced other improvements. Certain extra hazardous employments are enumerated to which the act applies automatically, such as building, excavating, electrical work, transportation, mining, manufacturing of explosives, and similar dangerous businesses. Employers engaged in other industries may elect to come within the provisions of the act. In the case of accidents to employees of all such employers, resulting in death or disability, certain fixed compensations are provided. The administration of the law is intrusted to an industrial board. For the calendar year 1915 the total amount paid as compensation in 16,869 accidents amounted to $1,292,735.[65]

A few other general laws for the protection of labor which need not be discussed in detail may be added here to complete the picture. Provision is made for apprenticing children until they arrive at the age of sixteen. Barbers and horseshoers must secure certificates of registration from boards

[65] *Report of the Industrial Board of Illinois,* 1916, p. 37. Statistics of industrial accidents had been reported to the bureau of labor statistics under an act of 1907, but it has recently been little more than a farce, owing to the transfer of this duty to the industrial board. During the year 1915 the bureau reported only 1,430 industrial accidents in the state. *Report of the Bureau of Labor Statistics: Industrial Accidents in Illinois,* 1915, p. 9.

of examiners created for this purpose. Convict labor shall not be employed so as to compete with free labor; but convicts may be employed in manufacture of road material and machinery and under certain circumstances may be employed on the public roads. Eight hours shall constitute a legal day's work, where there is no agreement to the contrary. The wages of a head of a family to the amount of fifteen dollars per week shall be exempt from garnishment; this was an increase from eight dollars. The pay of mechanics and miners shall constitute a first lien upon property for materials or service furnished. Wages shall be paid in bankable currency, in full on pay day, and in the case of corporations for pecuniary profit such pay days shall be at least semimonthly.

IX. CONSTITUTIONAL AMENDMENT AND REVISION

THE political history of Illinois during the quarter century since 1893 may be to a considerable extent visualized in the concrete proposals for governmental and political reform which have involved some alteration of the state constitution. It is therefore of importance to trace the development of proposals for constitutional amendment and revision during this period, not only from the standpoint of the form of the basic law of the state, but also for the purpose of considering, at least incidentally, such concrete measures as the proposed reforms in connection with taxation, woman suffrage, local government, short ballot, initiative and referendum, and other matters. To the constitution of 1870, seven amendments have been adopted, only two of which have been adopted during the period since 1893. The history of proposed and adopted amendments to the constitution of 1870 may be divided into three periods: the first extending from that date to the passage of the official ballot act of 1891, the second from 1891 to the passage of the act of 1899 providing for a separate ballot for proposed constitutional amendments and other measures, and the third from 1899 to the present time.

The agitation in favor of constitutional amendment and revision has been more constant and insistent during the last twenty-five years. At the very beginning of this period, in 1893, Governor Altgeld in his inaugural address suggested the need of constitutional revision in the following words: "There is a wide-spread conviction that the present revenue system of our State results in the greatest inequalities and injustice in the matter of taxation. . . . . Various measures in relation to it will no doubt be presented to your consideration, the

most important of which is, perhaps, the question whether any comprehensive change can be made without a revision of our Constitution. In the past, our State has revised its Constitution at intervals of thirty and twenty-two years. A number of questions have arisen in the development of recent years relating to various subjects on which legislation is needed, but where there seem to be constitutional difficulties in the way. This is especially true of the revenue system and of the question of enlarging the elective franchise, on which latter subject the law is left in a condition of uncertainty that is not creditable to the intelligence of our people." [1]

The suggestion of Governor Altgeld bore fruit in a joint resolution introduced in the session of 1893, which thus recited the conditions calling for remedy by a constitutional convention: "We are prevented in a great measure from redeeming the pledges we made to the People of the State . . . . by constitutional obstacles and restrictions; and Whereas, The inadequacy of that constitution to meet the demands of present and future conditions has caused bitter complaint among the people and much just discontentment; and Whereas, There are weighty social and economic issues persistently pressing upon us and demanding solution, and yet cannot be squarely met and intelligently solved with the present constitution in the way; and Whereas, The present revenue system is flagrantly unfair, unequal and, consequently, unjust in its operation; and Whereas, Our present judicial system is complicated, cumbersome and subject to gross abuse in unnecessary delay in our courts, thus unduly shielding the guilty from deserved punishment and working injustice to the innocent, especially discriminating against the poor man." [2]

This joint resolution, though failing in the house, passed the senate by a vote of 37 to 1. A joint resolution of a somewhat similar tenor was introduced in the house of representatives upon which 67 members voted favorably and 64 in the

[1] *Senate Journal*, 1893, p. 121.
[2] *Ibid.*, 265.

negative. Having failed to receive the concurrence of two-thirds of all members elected, as required by the constitution, the resolution was lost. In an editorial published at this time, the *Chicago Tribune* declared that there was no special need or general demand for a constitutional convention, but the favorable vote upon the proposition in both branches of the legislature would seem to indicate that there was considerable sentiment in the state in favor of it, even at that early period.[3]

A joint resolution for calling a constitutional convention was also introduced in the session of 1899, but it did not come to a vote.[4] At about the same time the reasons against a constitutional convention were thus voiced by the *Chicago Tribune:* "There is no demand heard from the people for constitutional revision, therefore they would take no keen, general interest in the election of the persons who were to do the work of revision. Consequently the same bosses and the same interests that control the election of members of the Legislature would nominate and elect members of a constitutional convention. . . . . The more this question of calling a constitutional convention is discussed the more strenuous will be the opposition to it. . . . . Illinois has had an Allen law Legislature. It must not have an Allen law constitutional convention."[5]

This view, however, left out of account the fact that the members of a constitutional convention would not be chosen according to the plan of minority representation which contributed much to the lack of popular control over the lower house of the legislature; that it would consist of but one house or body instead of two, as in the case of the legislature, and therefore there would be less possibility of shifting responsibility for action or non-action from one branch to another; and, finally, that the greater importance of the powers of a constitutional convention would probably have aroused the interest

[3] *Senate Journal,* 1893, 881; *House Journal,* 1893, p. 542-543; *Chicago Tribune,* June 15, 1893.

[4] *Senate Journal,* 1899, p. 44.

[5] *Chicago Tribune,* January 30, 1899.

of the people in the election of members to such an extent that a better class of delegates would have been sent to a constitutional convention than are ordinarily elected to the legislature. Moreover, the increasing complexity and cumbrousness of local government in Cook county emphasized the need of changes which only a constitutional convention could well effect. At all events, two years later the *Tribune* changed its attitude and came out strongly in favor of a convention. The reasons assigned for this position were that a new constitution was needed in order to give Chicago a larger measure of home rule, in order to bring about the consolidation of the various local governments in Cook county — the abolition of townships within the city of Chicago, and the consolidation of the taxing bodies in the county. Such a scheme of reform, known comprehensively as the "Greater Chicago plan," was said to be impossible under the existing constitution.[6]

At about the same time a canvass of the members of the legislature was made in order to determine how they stood on a constitutional convention. Of the 64 who replied, 41 favored a convention, 14 were against it, and 9 were undecided. Probably most of those who failed to reply were opposed to the convention, for later in the same session the resolution for a convention was killed in the house by a vote of 52 to 76 in spite of the advocacy of the convention resolution by the speaker of the house, Lawrence Y. Sherman. The agitation in favor of a convention, however, continued throughout the year 1902. A committee of the State Bar Association reported unanimously in that year in favor of calling a convention. The report enumerated many of the reforms in the constitution which had been sought and attacked the idea that the desired changes could be made by separate amendment. "Theoretically," it was said, "the changes in the constitution necessary for the enactment of the reforms spoken of may be obtained by amendments. But the history of attempts to obtain the adoption by the legislature of propositions for amendments to the constitu-

[6] *Chicago Tribune,* March 8, 1901.

tion shows that this method is extremely difficult, not to say entirely impracticable. Practically, we might have to wait thirty years or more before effecting the changes deemed necessary or desirable. There is only one alternative left, and that is a constitutional convention. A proposal for revision has a better chance of success in the legislature, because it is not antagonistic to any plan of change championed by any member, and because it does not require the members to study any particular scheme of governmental policy, leaving all such things to the convention."[7]

The great change in economic and industrial conditions since the adoption of the constitution in 1870 was recognized as a leading argument in favor of a convention. In 1870 the state was distinctly agricultural. Thirty years later it had become very largely a manufacturing and commercial community. "It could not be expected that a constitutional convention, convened to frame an instrument for the Illinois of that day, could foresee and make adequate provision for the totally different Illinois of today, including a mighty city — the center of intricate and diversified activities and occupations, the source of unmeasured political energy, as well as weakness and danger, confronting new necessities with which small communities are unacquainted."[8]

In the same year, 1902, the *Chicago Tribune* went so far as to declare that the constitution "has outlived its usefulness. It is not the ark of the covenant. It has no sacred qualities. We may touch it without dropping dead." It was pointed out that many changes were needed in order to provide for the changing needs of the growing city, particularly consolidated government, a new taxing system, and a raising of the debt limitation. These improvements, however, could not be introduced because the inflexible, "rockribbed, ironclad, remorseless constitution" stands in the way. "Apparently the opposition to a new constitutional convention is strong.

[7] *Chicago Tribune,* July 18, 1902.
[8] *Proceedings of the Illinois State Bar Association,* 1901, part 1, p. 59.

. . . . But it will have to give way in the end. Chicago has simply got to be taken care of. The armor of 1870 binds it painfully, impedes its movements, stunts its growth, and arrests its development. The boy has outgrown his clothes. He wants a man's garments."[9]

After 1902, the movement for a constitutional convention seems to have temporarily somewhat subsided, although it continued to be urged in some quarters and resolutions calling for a convention were occasionally introduced in the legislature. During the decade following that date, the movement for constitutional change took the guise principally of agitating in favor of the adoption of separate constitutional amendments. Indeed, the agitation in favor of separate specific amendments of one sort or another had continued almost uninterruptedly since shortly after the adoption of the constitution of 1870. The partial subsidence after 1902 of the agitation in favor of a convention seems to have been due in part to the uniform failure in the general assembly of resolutions calling for a convention and to the apparent hopelessness of getting such a resolution through that body. There was also another circumstance which may have accounted for it in part. The principal need for constitutional change was felt in Chicago rather than in the country districts because of the more rapid growth of the city. Comparatively speaking, the country districts were still content to live under the constitution of 1870, and the consent of their representatives in the general assembly must, of course, be secured before a convention could be called, because a two-thirds vote in the general assembly is required by the constitution for that purpose. Although Chicago thus felt the greater need for a constitutional convention and was specially desirous of securing a greater measure of home rule, nevertheless, there was some fear manifested in the metropolis that a constitutional convention might be dangerous to the city, as it might lead to a reduction of the city's representation in the general assembly or to a definite limitation upon it. In 1901

[9] *Chicago Tribune,* September 22, 1902.

the *Chicago Tribune* had declared editorially that "If the people should vote in 1902 to authorize the calling of a constitutional convention the following year it would be impossible to tell in advance who would control it or what use the ruling element might make of its power. The outcome might be a decrease of the legislative representation of the city, unaccompanied by an increase in the measure of home rule to be enjoyed by it. Sensible Chicagoans will not walk into a trap."[10]

That the view that the country districts might attempt to limit Chicago's legislative representation was not without some foundation was indicated by a resolution introduced in the senate in 1901 for a constitutional amendment limiting the representation from Cook county in the house and senate to one-third of the total membership. The resolution was passed in the senate by a vote of 34 to 12, or the necessary two-thirds, but in the house, where it received 93 favorable votes to 48 negative, it lacked nine votes of the necessary two-thirds.[11] It was said that the country members of the general assembly were alarmed over the rapid growth of population in Cook county and the possible increase in representation that was involved.[12]

In his message to the general assembly in January, 1903, Governor Yates recommended that no steps be taken in the direction of calling a constitutional convention, and expressed the opinion that any necessary constitutional change could be made by the method of a separate amendment.[13] Both the convention method and the separate amendment method, however, have been hedged around with extreme difficulties by the

[10] *Chicago Tribune,* March 9, 1901. This statement was made only a few weeks after the Chicago city council had adopted a resolution in favor of calling a constitutional convention. *Ibid.,* February 12, 1901.

[11] *Senate Journal,* 1901, p. 258-259, 301-302; *Chicago Tribune,* May 3, 1901. This vote, however, cannot be verified by reference to the *House Journal.*

[12] *Chicago Tribune,* March 2, 1901. This matter was doubtless brought to a head by pendency of reapportionment measures under the recent census of 1900 but as early as 1895, it was reported that the country members of the legislature wished to have a constitutional convention called so as to restrict the power of Cook county in the general assembly. *Ibid.,* January 31, 1895.

[13] *House Journal,* 1903, p. 27.

framers of the constitution of 1870. In order to pass a resolution in the legislature either to call a convention for revising the constitution or to propose a separate amendment to the people, a two-thirds vote of the members of each house is required, so that one-third of the membership of the legislature can always prevent any constitutional change, even when desired by considerably more than a bare majority of the legislature and of the people. If the difficulty of securing a two-thirds vote in the general assembly for calling a convention has been overcome, it is still necessary for the movement for a new constitution to jump two hurdles in the form of popular elections.[14] The first election is the "next general election" after the resolution has passed the legislature, at which the question of calling a convention is submitted to the people; the second election is that held after the adjournment of the convention for the purpose of ratifying its work. In both elections, the constitutional proposition, in order to carry, must receive a majority of all votes cast, not on the proposition but at the election. In the case of the first election, such a majority would be more difficult to secure than in the case of the second election, because, in the former, other matters would be presented to the voters for their decision which might distract their attention from the constitutional proposition, while, in the latter, the proposition would be submitted at a special election so that a majority of those voting on the proposition would be equivalent to a majority of those voting at the election.

It is, however, in the case of the adoption of separate amendments framed and proposed by the general assembly, that the framers of the constitution of 1870 showed themselves to be especially conservative and niggardly in respect to the freedom of amendment. No less than three different obstacles are placed in the way of constitutional change by this method any one of which would ordinarily be sufficient to block any easy or radical revision. The first obstacle is that the amend-

[14] Constitution, article XIV, section 1.

ment cannot be proposed or submitted to popular vote unless it has first received the favorable vote of two-thirds of all members elected to each of the two houses. The second obstacle is that the proposed amendment must be submitted to popular vote at the next election of members of the general assembly, and must be ratified by a majority of the electors voting, not on the proposition, but at the election. The third obstacle is that "the general assembly shall have no power to propose amendments to more than one article of this constitution at the same session, nor to the same article oftener than once in four years."[15]

Each of the above obstacles has operated at one time or another to prevent the adoption of constitutional amendments the need for which was very widely felt and keenly realized. It may be questioned, therefore, whether the constitution is not unduly restrictive of amendment, so as to prevent greatly needed changes until the demand for them has become almost universal. The framers of the constitution of 1870 were so well satisfied with their handiwork that although they intended to make the constitution more easily amendable, they apparently anticipated little need for change; and they seem also to have felt on general principles that a constitution should be capable of amendment only with extreme difficulty. This view has also been held by many persons since that time, especially by members of the legal profession. They have pointed out that constitutional changes involve the unsettling of judicial interpretation of the previous constitutional provisions, that nearly every change in the basic law requires the courts to go through a long period of judicial construction, and that meanwhile it is better that the constitution be somewhat ill adapted to the needs of the day than that the meaning of its provisions be uncertain. Comparison has also been made with the federal constitution, and it has been argued that since the latter has been but infrequently amended, therefore the constitution of Illinois should also be rarely amended, and the extreme re-

[15] Constitution, article XIV, section 2.

strictions contained in that instrument against amendment are valuable aids in preventing hasty and ill-considered change. It is of course true that the state constitution should not be lightly and needlessly tinkered with, but the argument by analogy from the federal constitution appears to be unsound for two reasons. In the first place the federal constitution is the supreme law of the land, while that of Illinois is not the fundamental law of a sovereign government but merely of a component government, subordinate to the whole. In the second place the federal constitution consists principally of broad general principles and the main outlines of a framework of government, leaving the details to be filled in largely by legislation, while, on the other hand, the constitution of Illinois is a comparatively lengthy document, containing much matter of a statutory character. The more detailed a constitution, the more liklihood will there be of the need for change and the more frequently will the need for change arise.[16]

The history of proposed and adopted amendments to the constitution of 1870, as already indicated may be divided into three periods: the first extending from that date to 1891, the second from 1891 to 1899, and the third from 1899 to the present time. The period prior to 1891 was one of the party ballot, as no official ballot was issued by the state. Under the law, political parties might, and almost invariably did, print on their ballots only one side of a proposition for a constitutional amendment. The result was that when the affirmative of such a proposition was printed on the ballots of a given party, all straight party votes for that party were counted in favor of the proposed constitutional amendment. Hence, where one or both of the two leading parties were in favor of a given amendment, it was comparatively easy to secure, almost automatically, a fairly large favorable vote upon it. Under this system, the requirement of the constitution that the proposed amendment must receive a majority of the votes cast

[16] Tolman, "Amendment to Amending Clause," *City Club Bulletin,* 6: 133; *Proceedings of the Illinois State Bar Association,* 1902, part 2, p. 158.

at the election did not opērate to prevent any proposed amendments from being carried at the election.[17]

In 1891 the second period was inaugurated by the passage of the official ballot act according to which both the affirmative and negative of all propositions for constitutional amendment were printed on the general ballot for all parties after the list of candidates, and no provision was made for counting straight party votes in favor of the proposed amendment.[18] During the period from 1891 to 1899, three proposed amendments were submitted to popular vote, two of which were for the purpose of amending the amending clause so as to enable the general assembly to propose amendments to two or three articles of the constitution at the same session. All these proposed amendments were decisively defeated, none of them receiving a favorable vote equal to one-fifth of the total vote cast at the election, although two of them received a majority of the total vote cast on the proposition. The defeat of these proposed amendments was not due to any real opposition to them, but rather to the method of submitting them, combined with the constitutional requirement of a majority of all votes cast at the election. The propositions were usually printed on a remote corner of the ballot, "not to be discovered except by a man with a search warrant."[19] The defeat of the amendments was also doubtless to be accounted for in part by indifference on the part of the voters due to the lack of concreteness of at least two of the proposals and to the lack of any organized campaign in their favor.

In order to secure a larger vote on proposed constitutional amendments, the device of printing them on a separate ballot was advocated. This method was finally adopted by the separate ballot act, passed by the general assembly in 1899, according to which proposed constitutional amendments and other public measures were to be printed on a separate ballot

[17] Gardner, "The Working of the State-Wide Referendum in Illinois." *American Political Science Review*, 5:401, 416.

[18] *Hurd's Revised Statutes*, chapter 46, section 301.

[19] *Chicago Tribune*, May 3, 1895.

and handed to the voter at the polls at the same time as the ballot containing the names of the candidates.[20] Since the enactment of this law, three proposed constitutional amendments have been submitted to popular vote, in 1904, 1908, and 1916. The first, providing for special legislation for Chicago, was carried by a substantial majority, after a spirited and well-organized campaign of education among the voters throughout the state. The second, authorizing a $20,000,000 issue of canal bonds, was also carried by about the same majority. The proposed amendment of 1916, designed to enlarge the powers of the general assembly over the subject matter of the taxation of personal property, received a majority of the votes cast at the election for the legislative candidates, but failed by about 15,000 of receiving the necessary majority of the total vote of 1,343,000 cast at the election.[21] Although in the case of all these amendments there was considerable publicity and agitation in favor of them, nevertheless it remains true that the separate ballot aided very considerably in securing large votes for the amendments. The constitutional requirement of a majority of all votes cast at the election, however, still remains as a very considerable handicap upon the adoption of any amendment.

During the decade since the adoption of the canal bond issue amendment of 1908, however, the principal difficulty in the way of amending the constitution has been the restriction that the general assembly cannot propose amendments to more than one article of the constitution at the same session.[22] The growing need for constitutional change has led to the initiation of numerous movements by voluntary organization, such as the Citizens Association of Chicago and the Initiative and Referendum League, looking to the amendment of the constitution in various respects. In December, 1910, representatives of

[20] See an editorial in favor of this method in *Chicago Tribune*, November 8, 1896, June 6, 1897; *Laws of Illinois*, 1899, p. 151; *Hurd's Revised Statutes*, chapter 46, section 303.

[21] The canvassing board held that the amendment had been adopted but a decision of the supreme court held to the contrary.

[22] Constitution, article XIV, section 2.

twenty civic organizations met in Chicago for the purpose of defining a program for constitutional reform at the approaching session of the general assembly. In addition to the movement for a constitutional convention, four constitutional amendments were proposed at the conference by the different interests represented as containing the most timely and imperative reforms. These were the initiative and referendum, abolition of cumulative voting or minority representation, revision of the revenue provisions of the constitution to conform with the recommendations of the state tax commission, and the amendment of the amendment clause so as to eliminate the restriction upon the submission of amendments to more than one article of the constitution at the same session.[23] At the session of 1911, the Legislative Voters League enumerated, in addition to the above, the following needed amendments to the constitution: the short ballot, the recall, home rule for cities, woman suffrage, and unification of all taxing bodies within the city of Chicago and other large cities.[24] To this list might be added various other proposals for constitutional amendment such as the reorganization of the judiciary, which have been advocated in different quarters. Each of the leading political parties of the state has committed itself in its state platforms to one or more of these proposed amendments.

The more numerous the various proposals for constitutional amendment, and the more insistent the various organizations became in urging the submission by the general assembly of the particular amendments in which they were interested, the more difficult it became to secure action by that body. Since amendments could be proposed to only one article of the constitution at the same session, it resulted that, at each session, the conflict between the advocates of amendments to different articles of the constitution over the question of the priority of submission resulted invariably in the failure to submit any amendment until the adoption in 1915 of a joint resolution pro-

[23] *Chicago Record-Herald,* December 8, 1910.
[24] Legislative Voters League, *Assembly Bulletin,* Number 2, 1911.

viding for the submission of the proposed amendment granting enlarged power to the general assembly over the subject matter of the taxation of personal property.[25]

It was true that, in the case of some of these amendments, two or more of them might have been submitted by the legislature at the same time. Thus, the proposed amendment for the initiative and referendum on ordinary legislation and the proposition to abolish minority representation might have been submitted simultaneously as both would amend the same article of the constitution. It has also been held that the constitutional restriction does not prevent implied amendments or changes necessarily worked in other articles of the constitution by the express amendment of a particular article of the constitution.[26] Nevertheless, two of the most prominent proposed amendments, the initiative and referendum proposition[27] and the proposition to amend the amending clause,[28] could not be submitted at the same session and consequently were, in effect, mutually antagonistic. Moreover, the adoption of any thoroughgoing short ballot plan at one time by the method of constitutional amendment was impossible even in the absence of any competing amendment, since such a plan would necessarily operate to amend more than one article of the constitution. These difficulties in the way of constitutional change through the separate amendment method seemed to indicate that a constitutional convention was inevitable and indispensable if constitutional revision adequate to the needs of the state were to be made.

The opposition to a constitutional convention, however,

[25] *Senate Journal*, 1915, p. 1016-1017. In a public policy vote held in 1912, the proposition to submit an amendment providing for the classification of property for purposes of taxation had been approved by a vote of 541,000 to 187,000.

[26] City of Chicago *v.* Reeves, *220 Illinois*, 274.

[27] In two public policy votes, in 1902 and 1910, the proposal for the initiative and referendum had been approved by a vote of nearly five to one and three and a half to one respectively, but neither received a majority of all votes cast at the elections. The revelations of legislative corruption in the election of William Lorimer to the United States senate in 1909 tended to renew and increase the interest in the initiative and referendum. Neither of the public policy votes, however, resulted in action by the general assembly.

[28] This proposition was supported by the Chicago Bar Association.

was strong and well intrenched. It arose from several sources. In the first place there was a well-defined fear in Chicago that a convention might result in bringing about a reduction or limitation of the representation of that city and of Cook county in the legislature, though downstate leaders for the most part disclaimed that there was any such intention. Moreover, as has been pointed out, the failure of the legislature to make a reapportionment of legislative representation since 1901 operates as seriously as a limitation of the representation of Cook county, which is growing in population much more rapidly than the rest of the state, as any restriction a constitutional convention might be expected to propose.[29] In the second place, opposition to a constitutional convention arose in the general assembly because it was generally recognized that the constitutional provision for cumulative voting or minority representation would stand little chance of being retained in the constitution by a convention. Within recent years, this provision has been generally condemned except by the minority representatives themselves. Nevertheless, the minority representatives constitute at least one-third of the membership of the lower house and the votes of at least some of them must be secured before the question of calling a constitutional convention could be submitted to popular vote. It was natural that such minority members should be reluctant to vote for a proposition which would probably mean their permanent retirement from public life.[30]

Opposition to a constitutional convention also arose from some conservative quarters in which it was feared that a convention would be dominated by the radical element and would attempt to introduce current fads and novelties in government and some of the new institutional forms of democracy. But to this objection the ready answer was that the work of the convention would have to be submitted to the people for ratifi-

[29] Dodd, "A Constitutional Convention," *City Club Bulletin*, 6: 135-137.

[30] In 1913 members of the progressive party were strong advocates of minority representation.

cation; and, if it proved to be too radical, they would have an opportunity to reject it. Finally, it was urged by some that, in the main, the constitution is a wise and beneficent instrument, needing amendments only in a few relatively unimportant particulars, and that it was therefore unwise to throw the whole document into the melting pot of a convention. Furthermore, it was argued that, in order that the people may pass intelligently upon the various proposals for constitutional change, it is better that such proposals should be submitted to them separately so that they may give each proposition undivided attention and scrutiny, rather than that they should be required to pass upon the merits of a whole new constitution at once. This objection, it was conceded, however, might be largely overcome if the convention, following the example of Ohio in 1912, were to submit the result of its labors in the form of a series of separate amendments.

Although the objections to a constitutional convention were numerous and cogent, they began to give way before the growing strength of public opinion in favor of calling such a body. This growing strength of public opinion was evidenced by the almost unanimous approval of the convention proposal by the press of the state, by the pledges given in favor of a convention by nominees for seats in the legislature, and by the planks inserted in the platforms of political parties.[31] A constitutional convention league, fostered by the Citizens Association of Chicago, was also formed to push the project, having among its directors and advisory council many of the most prominent men and women in public life in the state. In the general assembly it was strongly urged that a convention was the only method of constitutional change adequate to the exigencies of the state; and, at all events, a vote in favor of the convention resolution was not a vote in favor of a convention necessarily, but merely a vote in favor of letting the people decide whether

[31] In 1914 the platforms of the progressive and socialist parties strongly advocated a constitutional convention, while those of the democratic and republican parties, though apparently favoring a convention were less emphatic in their approval.

or not they wanted a convention; and no man who believed in democracy could consistently deny them the right to decide this question for themselves by withholding his favorable vote on the convention proposal. Governor Lowden, in his biennial message of 1917, declared emphatically that the time had come for a new constitution. By others it was pointed out that it would be decidedly better to have a convention chosen especially for the business of constitutional revision rather than to have the constitution amended as a mere incident or side line of legislative business, and that the work of a convention would have the more concentrated attention of the voters, since it may be submitted at a special election and would have better chance of ratification than a separate amendment, since it would require merely a majority voting on the proposition.[32] After repeated failures at successive sessions of the general assembly, these arguments finally prevailed at the session of 1917, when by a two-thirds majority in both houses it was voted to submit the question of calling a constitutional convention to the electors of the state at the next general election. Had this resolution been passed at the session of 1915 before the judicial election in June of that year, the question of calling a convention might have been submitted at that election. But the first general election to be held after the adoption of the resolution in 1917 is that to be held in November, 1918, and the question of calling a convention will consequently be voted upon at that time.[33] In order practically to assure a favorable vote on calling a convention it has been proposed that an act be passed similar to one on the statute books of Ohio, providing that any political party may approve or disapprove the convention plan at its state convention. When a party has approved the plan, all straight party votes cast for the candidates of that party by voters who have not taken the trouble to vote on the

[32] *Chicago Tribune,* January 26, 1914; *Chicago Record-Herald,* September 21, 1914.

[33] Inasmuch as women have as yet no right to vote for constitutional officers or on questions whose submission is provided for by the constitution, they will not be qualified to vote on the question of calling a constitutional convention.

proposition shall be counted in favor of the convention. A bill was also introduced in the fiftieth general assembly providing that the proposition of calling a convention should be printed in the first column of the official ballot, but the bill failed to become a law.

The constitution provides that, "If a majority voting at the election vote for a convention, the general assembly shall, at the next session, provide for a convention, to consist of double the number of members of the senate, to be elected in the same manner, at the same places and in the same districts."[34] It is also provided that the qualifications of members of the convention shall be the same as those of members of the senate. It seems to be generally agreed that the requirement that the convention delegates shall be elected in the same manner as senators does not mean that they must be elected at the same time as senators, and hence the general assembly may provide that they shall be chosen at a special election. It has also been held that the general assembly may follow the example set by the Ohio legislature in connection with the constitutional convention of 1912 in that state by requiring that the convention delegates be nominated by petition only, and that, as in Ohio, they might be elected on a nonpartisan ballot.[35] There appears, however, to be some legal doubt as to the correctness of the latter proposition, and it has been declared that "it would be highly unsafe for the General Assembly to provide for the nomination and election of delegates by any other manner than that provided at the same time with respect to senators."[36]

An election of such importance as that for delegates to a constitutional convention will, in all probability, attract the attention of the voters of the state to such an extent that they will elect to that body an abler class of men than are usually called

[34] Constitution, article XIV, section 1.

[35] "Why a Constitutional Convention Is Unavoidable," Citizens Association of Chicago, *Bulletin*, number 31, January 24, 1914.

[36] Dodd, "Constitutional Convention or Amending Clause?" *Illinois Law Review*, 9: 615.

to public office. If the elections are held on a nonpartisan basis, this will be an added inducement to able men to present themselves as candidates for seats in the convention. Even though the elections, however, are legally nonpartisan, it will be difficult to prevent political parties from making nominations unofficially and from working for the election of their nominees.

Two suggestions of practical value have been made in regard to the work of a constitutional convention. In the first place, provision should be made for investigation of possible questions to come up in the convention before that body meets in order to facilitate its work. Secondly, judging from the experience of other states, it seems clear that, in submitting to popular vote the work of the convention, the risk of carrying the whole instrument down to defeat should be as far as possible avoided by submitting many provisions, especially those of a controversial character, as separate amendments.

X. THE GOVERNOR

THE governor of Illinois is elected by popular vote every fourth year at the same time and on the same ballot with members of the general assembly, heads of state executive departments, members of congress, and presidential electors. The simultaneous election of the governor and members of the general assembly is justifiable on the ground that the governor is largely a political officer and the issues involved in his election are usually very similar to those connected with the legislative elections. Moreover, this plan tends generally to secure an executive and a legislature who are politically harmonious. A new governor, however, has little time to prepare a legislative program before the legislature meets. The plan of electing the governor at the same time with members of congress and presidential electors is not so commendable, for the issues involved are usually quite different. In their campaign speeches, candidates for governor frequently allude in glowing terms to the principles, platform, and candidate for president of the national party with which they are affiliated and endeavor to attach their political fortunes to those of the national candidates. The tendency of the voters to vote a straight party ticket renders it easier for the candidate for governor thus to confuse the issue. But the plan of combining national and state elections has the advantage of reducing the number and expense of elections.

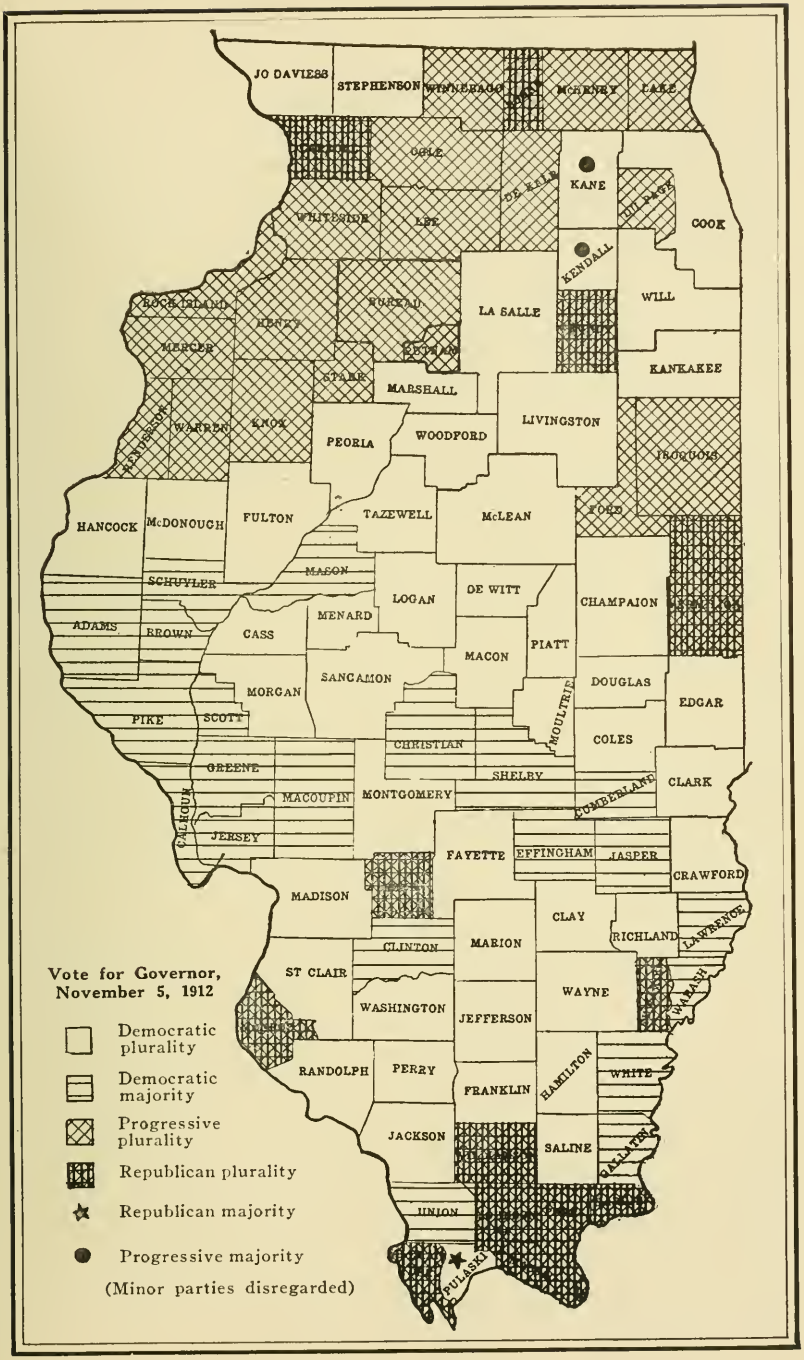
A plurality of the votes is sufficient to elect the governor; and, if two or more candidates have the same and highest number of votes, the general assembly is empowered, by joint ballot, to choose one of them for governor. It is also provided that contested elections for governor shall be decided by the two houses of the legislature in joint meeting. The consti-

tutional qualifications required of the governor are that he shall have attained the age of thirty years and have been for five years a citizen of the United States and of the state.[1] In addition the candidates must, of course, have been nominated in the primaries. The introduction of the method of nominating candidates for governor through primary elections has tended somewhat to increase the number of candidates and increased the opportunities of independents. Candidates, however, who have the backing of a party organization and who are able to spend money liberally still have the advantage under the primary system. In practice, eligibility for the governorship usually consists also in the holding of some public office which brings the candidate prominently to the notice of the people of the state. Recent governors, for example, have previously to their election, held such offices as states attorney of Cook county, mayor of Chicago, and member of congress. Under the constitution the governor is ineligible to any other office during the period for which he shall have been elected, but this is not held to prevent him from serving as *ex officio* member of various state boards and commissions.[2] In giving the governor a four-year term, Illinois has aligned itself with about half of the states of the union, which believe in allowing the chief magistrate a long enough term to become reasonably acquainted with the duties of the office. The governor of Illinois is also legally eligible to succeed himself for one or more terms and is frequently renominated for a second term; but during the last three decades, only one governor, Deneen, has been reëlected.

The term of the governor is stated in the constitution to extend for four years beginning on the second Monday in January next after his election and until his successor is elected and qualified. In practice the terms of some governors have been lengthened and that of others correspondingly shortened on account of a deadlock in the organization of the legislature,

[1] Constitution, article V, section 4, 5; *Hurd's Revised Statutes*, chapter 46, section 94.

[2] Thus the governor is president of the board of commissioners for the management of the state library. *Ibid.*, chapter 128, section 1.


JO DAVIESS
STEPHENSON
WINNEBAGO
BOONE
McHENRY
LAKE
OGLE
DE KALB
KANE
DU PAGE
COOK
WHITESIDE
LEE
KENDALL
WILL
ROCK ISLAND
HENRY
PUTNAM
LA SALLE
MERCER
BUREAU
KANKAKEE
STARK
MARSHALL
HENDERSON
WARREN
KNOX
PEORIA
WOODFORD
LIVINGSTON
IROQUOIS
HANCOCK
McDONOUGH
FULTON
TAZEWELL
McLEAN
FORD
MASON
SCHUYLER
LOGAN
DE WITT
CHAMPAIGN
VERMILION
ADAMS
BROWN
CASS
MENARD
PIATT
MACON
SANGAMON
DOUGLAS
EDGAR
MORGAN
PIKE
SCOTT
MOULTRIE
COLES
CHRISTIAN
GREENE
SHELBY
CLARK
CALHOUN
MACOUPIN
MONTGOMERY
CUMBERLAND
JERSEY
FAYETTE
EFFINGHAM
JASPER
CRAWFORD
MADISON
CLAY
RICHLAND
LAWRENCE
CLINTON
MARION
ST CLAIR
WAYNE
WABASH
WASHINGTON
JEFFERSON
RANDOLPH
PERRY
FRANKLIN
HAMILTON
WHITE
JACKSON
SALINE
GALLATIN
UNION
PULASKI
Vote for Governor, November 5, 1912
Democratic plurality
Democratic majority
Progressive plurality
Republican plurality
Republican majority
Progressive majority
(Minor parties disregarded)

through a prolonged contest over the election of a speaker of the house. Until the speaker is chosen the new governor cannot be declared elected nor inaugurated, and meanwhile the preceding governor continues to hold office. In 1913 Governor Dunne was not inaugurated until three weeks after the date specified in the constitution for the beginning of the governor's term.[3]

The plan adopted in the constitution of 1848 of assigning the governor a salary, the amount of which was fixed in that document, was abandoned in 1870; and the exact amount of the governor's compensation is now determined by legislative enactment, subject to the requirement that it shall not be increased nor diminished during his term of office. The amount as now fixed is $12,000 per annum which is greater than that paid the governor of any other state, but is considerably less than that paid the mayor of Chicago and is the same as that received by the states attorney and the circuit and superior court judges of Cook county. The governor is also granted the use of the executive mansion and has a contingent fund for unforeseen needs placed at his disposal.

The office of governor may become vacant by his resignation, absence from the state, conviction on impeachment, or other disability. Under these circumstances the lieutenant governor succeeds to the powers, duties, and emoluments of the office for the remainder of the term or until the disability is removed.[4] No case of impeachment of the governor has yet occured in Illinois, and the office has very seldom been vacated through any cause.

The powers, duties, and functions of the governor may be classified into legislative or political, administrative, and special. Among his powers in relation to the legislature is that of issuing writs of election to fill vacancies occuring in the general assembly. Members of the latter body desiring to resign should, consequently, present their resignations to the gover-

[3] Constitution, article v, section 1; *Report of the Attorney-General,* 1912, p. 1237-1240.

[4] Constitution, article v, section 17.

nor. The writ of election is issued to the county clerk of the county in which the member resided, and the time fixed is that of the next general election, unless a special election is necessary to fill the vacancy.[5]

Over the organization of the legislature the governor has no legal power of control. The governor may, however, and sometimes has exerted his personal influence to secure an organization of the legislature which will be in the interest of his legislative program. This is particularly apt to be the case where the governor is considered to be the political leader of his party. A governor who takes a hand in the organization of the legislature runs the risk of being accused of undue interference and usurpation, and this has doubtless deterred some governors from doing so. Governor Lowden announced publicly that he would keep hands off the organization of the legislature. Governor Yates maintained neutrality in regard to the selection of the speaker of the house, but took a hand in organizing the senate in the interests of party harmony. In 1908 Governor Deneen exerted his influence in the organization of the senate and in preventing the reëlection of Speaker Shurtleff in the forty-sixth general assembly.[6]

The governor is authorized by the constitution to adjourn or prorogue the general assembly in case of disagreement between the two houses with respect to the time of adjournment. Before acting, the governor must first be notified of such disagreement by the house first moving the adjournment, and then he may adjourn the legislature to such time as he sees fit, but not, of course, beyond the first day of the next regular session. The power of the governor, upon receiving the properly authenticated notification of disagreement, is a discretionary political power, not subject to judicial review.[7] Only twice, in

[5] *Report of the Attorney-General,* 1910, p. 507-508, 1913, p. 99-100; *Hurd's Revised Statutes,* chapter 46, section 129.

[6] *Chicago Herald,* November 11, 1916; *Chicago Tribune,* January 8, 1901, November 11, 27, 1908.

[7] Constitution, article V, section 9; People *v.* Hatch, *33 Illinois, 9; Debates and Proceedings of the Constitutional Convention,* 1870, 1:776; *Report of the Attorney-General,* 1912, p. 73-83.

1863 and 1911, does it appear that the governor has had occasion to exercise this power.

The governor is authorized by statute, when it is necessary in consequence of pestilence or public danger, to convene the legislature in a place other than the seat of government at Springfield,[8] a power of little moment on account of the infrequency of occasions for using it. The governor has, however, the important power of convening the legislature in special session on extraordinary occasions. He does so by issuing a proclamation, in which he states the purposes for which they are convened, and the general assembly is prohibited from entering upon any legislative business other than that mentioned in the governor's call.[9] This naturally gives the governor much larger control over a special than over a regular session. Even in a special session, however, the governor merely designates the general subjects of legislation, and the detailed means of providing for such subjects remain in the discretion of the legislature. Moreover, after the governor has issued his proclamation and the assembly has convened, he cannot broaden the field of legislation at the special session by sending a message urging additional legislation. This can only be done by a proclamation calling another special session and specifying therein the additional matters to be considered. Two special sessions may overlap or exist concurrently. In March, 1912, Governor Deneen issued a proclamation calling a special session and enumerating certain subjects for legislative consideration. Subsequently, while this session was still in existence, other matters came up requiring legislative action; and the governor thereupon called another special session for their consideration, so that there were two simultaneous special sessions.[10] The calling of a second simultaneous special

[8] *Hurd's Revised Statutes*, chapter 63, section 1, chapter 123, section 1.

[9] Constitution, article V, section 8. The general assembly may, however, ratify an amendment to the constitution of the United States in special session, even though not included in the governor's call. *Report of the Attorney-General*, 1912, p. 83-87.

[10] *Ibid.*, 964-966. It was not necessary to keep a separate journal for each special session, and for practical purposes, they constituted but one session.

session involves the useless expense of mileage for the members and other perquisites received by them for each session. In order to avoid this difficulty and the practical evasion of the constitution, that instrument should be amended so as to read that, during special sessions, the general assembly shall enter upon no business except such as the governor may designate, whether submitted by him before or during the session.

Popular control over legislation is increased through the governor's control of the topics to be considered in special session. Such sessions have been somewhat frequent during recent years. Where the governor, however, includes in his call a large number of matters for legislative consideration, many of them of no immediate urgency, as has sometimes happened, his control is weakened, because his fire is scattered. Governor Deneen issued a call for a special session in 1909 enumerating twenty-four matters for legislative consideration, while Governor Dunne, in his call of 1915 included nineteen separate matters.

No provision is contained in the constitution authorizing the governor to call the senate alone into special session, but, as the business to be transacted in such session might at times be attended to by the senate alone, it would seem that this power should be specifically granted to the governor.

The governor is made an important part of the lawmaking authority through his power to send messages and recommendations to the general assembly, and through his power to approve and veto its acts. It is his duty, both at the beginning of each session and also at the end of his term of office, to give the general assembly information, by message, of the condition of the state, and to recommend such measures as he deems expedient. He is also required to accompany his message with a statement of all moneys received and paid out by him, together with an estimate of the amount of money required to be raised by taxation for all purposes.[11] The latter requirement, however, has seldom or never been complied with. If fully utilized

[11] Constitution, article v, section 7.

this provision might enable the governor to inaugurate a plan resembling to some degree an executive budget system. For the promotion of such a plan, however, the constitutional provision should be broadened so as to provide for the submission by the governor of a statement both of estimated revenues and of estimated appropriations. Under an act of 1913 the governor was made a member of a joint legislative reference bureau, one of whose duties is to cause to be compiled a detailed statement of the estimated appropriations required by the several departments of the state government for the next biennium. No provision, however, was made in the act for a statement of the estimated revenues.[12] By the consolidation act of 1917, the governor is required, within a month after the organization of the general assembly to submit a state budget, containing the amounts recommended by him to be appropriated to the respective departments and institutions and for all other public purposes, the estimated revenues from taxation and from other sources, and an estimate of the amount required to be raised by taxation. Thus the budget, when it reaches the general assembly, has the official support and authority of the governor behind it, though legal control over the appropriation and revenue acts still remains largely with the legislature, subject to the power of the governor to veto appropriation items. Under the system of local representation in the legislature, that body is under no adequate sense of responsibility to the state at large in making appropriations. The financial budget, therefore, including all contemplated items of appropriation, should originate from and be initiated by the governor, as the responsible head of the state government, subject to the power of the general assembly to criticize the proposals and to reduce the amounts.[13]

Every bill which has passed the two branches of the general assembly must, before it becomes a law, be submitted to the governor for his approval or disapproval. The governor is

[12] *Laws of 1913*, p. 392.

[13] *Proposed Legislative Measures to Carry into Effect the Recommendations of the Efficiency and Economy Committee*, 61.

allowed a period of ten days exclusive of Sundays, in which to consider what action he shall take upon the bill. If he fails to take action upon it within this period, it becomes a law without his signature. If the general assembly adjourns prior to the expiration of the ten-day period, the bill becomes a law unless, within ten days after such adjournment, the bill is filed, with the governor's objections, in the office of the secretary of state.[14] In practice, the general assembly usually passes many important measures during the last few days of the session, and in consequence a great mass of legislative business is left over for the governor to act upon. During recent sessions, the general assembly has adopted the practice of holding a short adjourned session at the expiration of the ten-day period allowed the governor in order to consider his veto messages. In order that the governor may give adequate consideration to the mass of bills enacted near the close of the legislative session, the ten-day period should be lengthened. Even with the ten-day period, the governor is usually swamped by the mass of bills dumped upon him during the last few days of the session, so that he is barely able to consider them thoroughly, even though he toils night and day. Over three hundred bills were sent to Governor Dunne during the dying days of the forty-ninth general assembly. The governor, however, has the assistance of the attorney-general, who gives him opinions on the constitutionality of measures submitted to him.

In order to increase the potency of the governor's veto power, he is given by a constitutional amendment of 1884, the power to veto separate items or sections of appropriation bills. This enables him to veto such items of expenditure as he deems to be unnecessary or unwise and to eliminate "riders" or extraneous matter attached to appropriation bills. Although this object cannot be effected by the governor's veto power in the case of other than appropriation bills, something approaching the same result may be reached through the operation of the

[14] Constitution, article v, section 16. There is thus, strictly speaking, no such thing as a "pocket veto" in Illinois.

constitutional provision that no act shall embrace more than one subject.[15] Recent governors have used the power to veto items unsparingly and as a result hundreds of thousands of dollars have been saved to the state. The method of appropriating public funds in the general assembly is such that that body sometimes appropriates such large amounts as to indicate that no adequate attention has been paid to what the aggregate of all appropriations will be, nor to whether the condition of the state finances can stand the strain. It thus devolves upon the governor to slice off the unnecessary items. This he can only do by vetoing the least unobjectionable items, which might well be allowed to stand if there were any other way of trimming the total sum. The financial significance of the governor's veto power is indicated by the fact that in 1903 Governor Yates found it necessary to trim more than $1,000,000 from the total appropriations; and in 1915 Governor Dunne vetoed appropriations aggregating more than $2,000,000.

The control of the governor over appropriations is sometimes impeded by the skill of the framers of the appropriation bills in so intertwining the various items of a bill as to prevent the governor from vetoing an item without defeating the whole object of the bill. Furthermore, even when an item is easily separable from the rest of the bill, the governor cannot veto it without running the imminent risk of incurring the severe displeasure of the person, interest, or institution which would benefit from the contemplated expenditure. More serious still, he may by vetoing a particular item so offend the member or members of the general assembly who are interested in securing the passage of such item as entirely to alienate them from the support of his own legislative program. In cutting down appropriations, therefore, the governor must be imbued with a high order of courage and a deep belief in the support of his action by the mass of the people.

[15] Constitution, article IV, section 13. The provision of article IV, section 16, that "bills making appropriations . . . for the salaries of the officers of the government shall contain no provision on any other subject" also prevents flagrant "riders" in state general appropriation bills.

The control of the governor over state finances would be much increased, if he had the power not only to veto items but also to reduce items in the appropriation bills. Impelled by the desire to keep the total appropriations within the amount of the estimated revenues of the state, Governor Dunne, by vetoing parts of items in the omnibus appropriation bill passed by the legislature of 1915, sliced more than half a million dollars from the aggregate amount. The question of the governor's power thus to reduce items, however, having been carried into the courts, it was held by the supreme court that "the power given to the governor by the constitution to disapprove of and to veto any distinct item or section in an appropriation bill does not give him the power to disapprove of a part of a distinct item and approve the remainder, and if he vetoes part of an item by striking out the words 'per annum' or by approving a part of the amount of one item and disapproving the remainder, his action is void and the whole item remains in force as passed by the legislature."[16] Legally, however, it is doubtless true that the governor could effect a reduction in the total appropriations by refusing to approve vouchers for expenditures beyond a certain amount. It has been held by the attorney-general that the exercise by the governor of his power to approve or disapprove vouchers for the expenditure of public funds is a discretionary act, and, consequently, cannot be compelled by mandamus.[17]

In order that the legislature may be informed of the governor's reasons for vetoing a bill, as well as to prevent the arbitrary exercise of the power, the governor is required, when exercising his power of veto, to state his objections to the bill. In order that these objections may receive proper consideration by the general assembly, it is required that these objections shall be entered at large, upon the journal of each house. The general assembly has the power of repassing the bill over the governor's veto, but only by an extraordinary majority vote,

[16] Fergus *v.* Russel, *270 Illinois,* 304.
[17] *Report of the Attorney-General,* 1912, p. 1038-1039.

namely, two-thirds of all members elected to each house. In order that the members of the general assembly shall act under a due sense of responsibility, it is further required that the vote on repassage over the governor's veto shall be determined by yeas and nays and be entered upon the journal.[18] A recent study of the veto power of the governor of Illinois reaches the following conclusions:

I. Contrary to the older conception of the function of the veto power, it has rarely been used to protect the executive and the judicial departments against encroachments on the part of the legislature.

II. On the other hand, it has frequently been invoked to prevent unconstitutional use of the legislative power in other respects.

III. Considerable defective legislation has been prevented . . . . thereby saving the people of the state much inconvenience and expense.

IV. Most important, however, has been the use of the veto power to enable the governor to participate in the determination of state policy:

1. Considerably more than half of the vetoes from 1818 to 1915 were made on grounds of policy or expediency.

2. While many of the bills disapproved were of very great importance, no serious abuse of the veto power has ever occurred.

3. On the other hand, many of the lines of policy suggested by early vetoes found adoption in the constitution of 1870.

4. The disapproval of items in appropriation bills has been closely related to the growing expenditures of the state, though it has not been sufficient to prevent enormous increases in late years.[19]

Although the veto power has been an important influence in improving the quality of the legislative output, the influence

[18] Constitution, article v, section 16.

[19] These conclusions were reached by Dr. Niels H. Debel in his doctoral thesis, *Veto Power of the Governor of Illinois.*

which it exerts is largely of a negative character. Some positive influence may be exerted by the existence of the veto power when it is known by the legislature that unless certain provisions are inserted in a bill, it will not receive the governor's approval; or after a bill has been vetoed, it may be amended so as to meet the governor's views. In the main, however, the governor has no legal power of exercising positive control over legislation except such as may be derived from his power of sending messages and recommendations to the legislature. In practice, however, the governor is not confined to the powers legally conferred upon him, but may bring his personal influence to bear in various ways in promoting a given program of legislation. Some governors have considered their principal achievements to lie in the field of important legislation secured rather than in that of administrative results. Thus, Governor Deneen, during his campaign for reëlection in 1912, made numerous speeches in which he appealed for the suffrage of the voters on the ground of the important and beneficial laws enacted during his administration. Governor Lowden, even before his inauguration, announced his intention of having certain important measures presented for legislative consideration and used his personal influence vigorously in conference with committees of the general assembly and with other influential individuals in pushing such measures to enactment. When the governor and the legislature are in political harmony and the governor is looked upon as the leader of his party in the state, his personal influence in determining the important features of the legislative output is naturally accentuated.

It should be noted that the practice of political parties in drawing up their platforms after the candidates for governor have been nominated tends to give greater influence and control to the governor, when elected, over the legislative program of the party. The practice of nominating candidates for governor by the direct primary method also tends to increase the prestige and the influence of the governor as the leader of his party.

The passage of the consolidation bill by the general assembly in 1917 was undoubtedly due in a large measure to the vigorous advocacy of the bill by Governor Lowden and to his political sagacity in refusing to make appointments to office until the bill had been passed. Even before the fiftieth general assembly met twenty-four members of the state senate had signed an agreement to support the important features of the Lowden legislative program.[20] The actual terms of the consolidation bill were drafted under the supervision of the governor, and, during its consideration in the legislature, it was commonly known as the "Lowden bill." The governor was thus exerting a real and very positive influence in legislation, yet he was not accused of undue interference or usurpation. This was partly due perhaps to the political harmony between the executive and the legislature, yet there has undoubtedly been within recent years a change in public opinion which is reflected in the attitude of the legislature, so that the governor's positive influence in legislation is no longer looked upon as usurpation but as both legitimate and desirable. This tends to render the governor's legislative power commensurate with his responsibility. The older attitude is illustrated by the remarks of Mr. Washburn in the constitutional convention of 1870: "The legislative power," he declared, "the power to inaugurate and mature the policy of the State belongs exclusively to the General Assembly." "It would be a *usurpation* by the governor to exercise that power." "The duty of the governor is to execute the policy, not to say what the policy shall be."[21] In the forty-third general assembly, Governor Yates was severely criticized for executive interference in legislation.[22] His own attitude toward such a charge was indicated in the following words from his message to the legislature: "'Executive interference,' a term contemptuously employed by persons and interests whose conception of the execu-

[20] *Chicago Tribune,* December 27, 1916.

[21] *Debates and Proceedings of the Constitutional Convention,* 1870, 1:759. Italics are the author's.

[22] *Chicago Tribune,* February 6, 1903.

tive office is that the governor should exhaust his entire time in signing papers, and acting as a mere figurehead, and by persons or interests whose design is to intimidate a governor into inactivity, (while they themselves 'interfere' constantly, for their own advantage)."[23]

Under existing conditions the governor is practically obliged to take a hand in legislation, if he is to exercise any control over the administration, inasmuch as the latter is largely subject to legislative direction rather than to executive order. The positive influence of the governor in legislation was recognized and given some official standing by a rule of the house of representatives, adopted in 1913, providing that a bill or resolution introduced to carry out a recommendation of the governor may, by executive message addressed to the speaker, be made an administration measure. When such a measure has been reported out of committee, it has precedence over all other bills except appropriation bills.[24] This rule was "intended to give assurance to the governor that measures which he recommends will be given fair consideration and by such assurance to impose upon him the obligation to have a legislative program."[25] This rule has probably not been as fruitful of results as was expected and has now been dropped from the rules of the house, but it is a step in the right direction. Among important administration measures which have passed the legislature was the fish and game conservation act of 1913. The rule should be revived and carried further by giving the governor, either in person or by representative, the power to appear before a committee of the whole house or a joint committee of the general assembly, and advocate and defend in public meeting the administration measures, instead of having to summon to private conferences members whose support he desires, as he is practically forced to do under the present system.

The strength of the governor's position in urging his legis-

[23] *Senate Journal*, 1903, p. 9.
[24] *House Journal*, 1913, p. 315-316.
[25] Hull, "Legislative Procedure," *American Political Science Review*, 7:239.

lative measures is, of course, largely enhanced if he is able to secure widespread popular support for his program. His success is largely determined by his ability to take the people into his confidence, to enlist the support of influential leaders within and without the legislature, and to bring full publicity to bear throughout the whole course of legislation. A governor is usually more influential in legislation during the first session of his term. One means whereby public attention could be forcefully called to the governor's legislative recommendations is indicated by the success of President Wilson in addressing congress in person. The governors of Illinois, however, have not seen fit to depart from the customary rule of sending written messages to the legislature. On a few special occasions, however, the governor of Illinois has addressed the legislature in person. This was done by Governor Dunne in 1916, and in the following year Governor Lowden appeared before a joint session of the general assembly and addressed them in regard to the support to be given by Illinois to our government at Washington in the crisis produced by the breaking off of relations with Germany.[26]

The powers of the governor in relation to the officers of the administration are subject to serious limitations. The constitution vests in the governor the "*supreme* executive power," which implies that subordinate executive powers are vested in other officers. This is in fact the case, for, as stated in another section of the constitution, the "executive department shall consist of a governor, lieutenant-governor, secretary of state, auditor of public accounts, treasurer, superintendent of public instruction and attorney-general." The real content of the governor's administrative power, however, is determined, not by these provisions, but by the provisions of the constitution and statutes conferring specific powers upon him. This is true also of the provision of the constitution which confers upon the governor the power and duty of taking "care that the laws be

[26] *Chicago Herald,* May 11, 1916, February 7, 1917. Governor Lowden also appeared in person and addressed a joint session of the legislature at the close of the fiftieth general assembly and at other times. *Ibid.,* June 18, 1917.

faithfully executed."[27] This provision merely vests in the governor a rather vague and general power of supervision over other state and local officers in whose hands the direct execution of the laws is placed. It is of relatively little importance except in so far as it is supplemented by other more specific constitutional or statutory grants of power. Thus, under the statutes the governor may offer a reward for the apprehension of a person accused or convicted of certain crimes.[28] Aside from any question of legal power, the governor may exert his personal influence and bring pressure to bear upon officials by means of publicity and in other ways in order to secure the enforcement of the laws. Thus, when race riots broke out in Springfield in 1908 Governor Deneen summoned the states attorney of Sangamon county before him and ordered that a special grand jury be convened immediately to indict the prisoners in the county jail. He also informed the city authorities that the ensuing prosecutions must be real and vigorous.[29]

An important specific administrative power of the governor is that of making appointments to office. Under the constitution he is authorized to appoint, with the consent of the senate, all officers whose offices are established by the constitution or by law and whose selection is not otherwise provided for. Many statutes have been passed in recent years creating new state officers, and in most cases their appointment has been vested in the governor and senate. The total number of officers whom the governor now has the power to appoint during his term reaches into the hundreds. Most of these are state administrative officers, such as members of various state boards and commissions. His power of appointing local officers is very slight. Previously to the establishment of the municipal court in Chicago by an act of 1905 as amended in 1907, the governor appointed justices of the peace for that city with the consent of the senate and upon the recommendation of

[27] Article v, section 6.

[28] *Hurd's Revised Statutes,* chapter 60, section 12; *Report and Opinions of the Attorney-General,* 1914, p. 160-161.

[29] *Chicago Tribune,* August 17, 1908.

a majority of the judges of the circuit, superior, and county courts.[30]

Beginning immediately after his election and extending well into his term, a governor-elect or new governor is usually besieged by a horde of office seekers. Within two weeks after his election Governor-elect Tanner had received over three thousand letters applying for positions, and swarms of office seekers were standing in line all day to see him.[31] This condition is especially apt to be produced when there has been a change of party as well as a change or impending change of administration. A governor of the spoilsman type may welcome such a situation as it enables him to build up a political machine. It is probable, however, that few governors really relish the duty of making wholesale appointments to hundreds of state positions, many of which are useless and a needless expense to the state. Even were all needless positions lopped off, there would still be many minor offices which might well be left to be filled by the governor's subordinates, leaving him free to devote his attention only to the important appointments and to his legislative program.

The governor's appointive power does not extend to the heads of executive departments established by the constitution, such as the secretary of state and attorney-general, who are chosen by popular vote. This method tends to make these officers independent of the governor and thus to disintegrate the administration. The disintegration of the administration has been further increased by the practice of the legislature in conferring, by statute, administrative powers on the constitutional state officers, other than the governor, and especially by the legislative practice of continually creating new boards, commissions, and administrative agencies. The fact, however, that the governor and the heads of executive departments are elected at the same time and on the same ticket brings it about that they almost invariably belong to the same political party, though

[30] Constitution, article v, section 10, article vi, section 28.
[31] *Chicago Tribune*, November 25, 1896.

sometimes to different factions of the same party. While the wishes of the candidate to be nominated for governor may be consulted as to who shall be his running mates for the other principal offices on the same ticket, it is nevertheless true that legally the governor has no control over the choice of the heads of departments; and he cannot, therefore, be said to have a cabinet in the sense in which this term is used in the national government. As a result of his four years' experience, Governor Dunne advocated the introduction of such a cabinet system in the state government of Illinois. "The responsibility for the passage of certain laws," he is quoted as saying, "as well as administrative responsibility is in the public mind thrown upon the executive and where responsibility rests there should be power to act. Power to act and accomplish, however, cannot be where different departments of the administration are made independent of each other by popular election. There is a loud cry in these modern times for a short ballot, and a short ballot can be attained by centralizing authority and throwing the responsibility of efficiency upon the executive by giving him the appointing power. If the governor had the appointment of such officers he could make them, by virtue of his appointment, members of his cabinet, just as the President appoints his cabinet, and there then would be complete harmony between the different departments of the state."[32] It was one of the objects of the recommendations of the efficiency and economy committee to provide for the creation of a cabinet or advisory council around the governor; and this object has been, to some extent, attained by the passage of the consolidation act of 1917.

Although the governor cannot make original appointments to the positions of elective heads of departments, he is authorized to fill vacancies occurring in them. In the case of vacancies occurring during the recess of the senate, in offices which are not elective, the governor is authorized to make temporary appointments until the next meeting of the senate, at which the

[32] *Chicago Herald,* January 2, 1917.

person nominated by the governor must be confirmed if he is to continue in the office during the remainder of the term.[33]

Although the governor had prior to 1917 a large power of appointment to membership on various state boards and commissions, the exercise of this power is subjected to certain practical restrictions. No attempt is made to coördinate the length of the terms of the members of such boards with that of the governor; and, in the case of large boards, whose members serve for long terms the governor may not, during his term of office, have an opportunity of appointing a majority of the members. The supreme court has held that, under the constitution, there may be two modes of appointment to office by the governor — one by and with the advice and consent of the senate, and the other by the sole and independent act of the governor, without the consent of the senate; and it is therefore competent for the legislature by law, to create an office, and provide for the appointment of the officer without the assent of the senate.[34] This has been done in the case of a few officers, as, for example, the members of the former state board of dental examiners, the printer expert, the adjutant general and other officers in the militia, where the power of appointment rests in the governor alone. But, in the large majority of cases, the power of the governor to appoint is limited by the necessity of securing the confirmation of a majority of all elected members of the senate. This device divides the responsibility for the appointment between the governor and the senate and may sometimes result in virtually compelling the governor to sacrifice his legislative program in order to maintain a high standard in appointments, or else to sacrifice his desires with respect to appointments in order to secure the passage of bills in which he is interested. On the other hand, the governor may not always be well informed as to the best men to appoint to office, and the advice of the senate may sometimes be of material assistance to him in selecting such men. It

[33] Constitution, article v, sections 11 and 20.
[34] Wilcox *v.* People, *90 Illinois,* 186.

might be better to require that the governor should secure and avail himself of the advice of the senate, but not to require him to act upon it, so that the whole responsibility for the final decision may rest upon his shoulders.

Any power of supervision over state boards and commissions which the governor's power of appointing their members enabled him to exercise has been seriously impeded by the multiplicity and lack of systematic organization of such agencies. This difficulty, however, has been in large degree remedied by the consolidation act of 1917, organizing most of the agencies into nine executive departments, each under a director appointed by the governor and senate for four-year terms, subject to the power of the governor to remove them for cause. Some of these directors take places previously occupied by boards, and the power of the governor is consequently increased because his power of appointment is no longer subject to the virtual limitation which the rule of gradual renewal of the membership of boards entails. Some administrative and advisory boards are retained in the consolidation act, but the governor's power over them is increased by the absence of any requirement for minority representation on them.

The power of appointment, in and by itself, confers upon the governor no legal power of control over his appointees after they have assumed office. This difficulty, however, is to some extent overcome by provisions conferring upon the governor some power of suspension in office and of removal from office. Thus the officers of the executive departments and of all the public institutions of the state are required to make regular biennial reports to the governor to be transmitted by him to the general assembly. Such officers are also required to make to the governor a semiannual report of all moneys received and disbursed by them. Furthermore, the governor may at any time require from such officers information, in writing and under oath, upon any subject relating to their duties.[35] Thus, shortly after his inauguration, Governor Low-

[35] Constitution, article v, sections 20, 21.

den sent a letter to each of the numerous commissions, bureaus, and departments asking for information as to the funds available and the expenditures to be made until the end of the fiscal year.[36] In case any such reports should disclose an unsatisfactory condition in the management of a particular office, the governor may attempt to remedy such condition either by admonition and advice to the delinquent officer, or by bringing the full light of publicity to bear upon the facts. An officer who makes a false report of his receipts and disbursements is declared to be guilty of perjury and subject to appropriate penalties.

Aside from his legal powers, the governor may by his personal influence exercise some supervision over the state departments and institutions. Thus, Governor Deneen in 1905 instructed officials of state institutions that the payrolls must be gone over carefully and the pruning knife used so as to reduce expenses and to weed out incompetents and employees whose services in the institutions were not actually required. In the following year, the governor took a personal hand in directing the activities of the state food commission, and by his direct orders the state analyst made a tour for the purpose of studying the pure food laws in operation in other states.[37] In the case, however, of the constitutional elective state officers, the power of the governor to require reports is, in practice, of little value in enabling him to supervise them in the performance of their duties. They are practically equal to, and independent of, the governor, and the necessity under which he rests of remaining on terms of amity with them would ordinarily prevent him from requiring from them any reports other than those which they voluntarily submit.

Finally, in order to improve the conduct of administrative offices, the governor may remove any officer subject to appointment by him for certain specified causes, viz., incompetency, neglect of duty, or malfeasance in office.[38] This provision rep-

[36] *Chicago Tribune,* January 11, 1917.
[37] *Ibid.,* March 23, 1905, March 16, 1906.
[38] Constitution, article V, section 12.

resents an honest effort on the part of the constitutional convention to render the power of the governor to some extent commensurate with his responsibility and probably has a more important influence than any other single provision toward making the governor the real, instead of merely the nominal, head of the administration. Under the existing method of selecting the heads of the state executive departments and the system of decentralized enforcement of state law, however, the governor cannot fully assume the position of real head of the administration by virtue of his power of removing his appointees. This provision of the constitution should therefore be strengthened at least to the extent of giving the governor power to remove any state executive officer, whether elective or appointive.

The fact, however, that the constitution confers upon the governor the power of removing such officers as he may appoint does not absolutely exclude him from the power of removing elective officers, provided the latter power is specifically conferred upon him by the legislature. Thus, by an act of 1905, the power was conferred upon the governor to declare, by proclamation, the office of any sheriff to be vacant whenever a prisoner is taken from his custody and lynched.[39] In 1909 a mob lynched a prisoner which it had taken from the sheriff of Alexander county. In accordance with the statute, the governor issued his proclamation declaring the office vacant. Under the statute the governor might reinstate the sheriff if the latter could show that he had done all in his power to protect his prisoner. In this case, however, the sheriff was unable to show this to the satisfaction of the governor, who accordingly sent a notice of the vacancy to the county board, who thereupon appointed a successor. The deposed sheriff contested the legality of the governor's action, but, when the case was carried to the supreme court, the latter upheld the constitutionality of the statute and the validity of the governor's action under it.[40] It is to be noted, however, that the gov-

[39] *Hurd's Revised Statutes,* chapter 38, section 256x.
[40] People *v.* Nellis, *249 Illinois,* 12.

ernor's power of removing the sheriff is narrowly limited so that it can be exercised only under circumstances which seldom arise.

The constitutional power of the governor to remove his appointees is as above indicated, apparently limited to those cases, where such appointees are guilty of "incompetency, neglect of duty or malfeasance in office." The constitution, however, provides no method whereby the governor shall determine the existence of the specified causes of removal, nor does it declare whether the governor's action in removing an officer shall be final and conclusive or subject to judicial review. These points, however, have been cleared up by the supreme court. The governor undertook to remove the West Chicago park commissioners and to appoint their successors without bringing any charges against the incumbents or giving them a hearing. The supreme court held that the governor's power of removal applied both to officers who were appointed by the governor with the approval of the senate and also to officers, such as the park commissioners, who were appointed by the governor alone. The court also held that, when exercising his power of removal, the governor may adopt such method of ascertaining the existence of the specified causes of removal as he sees fit, and consequently no written charges or formal trial are required by law. Moreover, the court held that the governor's action is final and not subject to review by the courts.[41] Although the governor is not, therefore, compelled to give a hearing to the officers whose removal he contemplates, he nevertheless may, and sometimes does, as a matter of courtesy, accord it.

Among the special functions which the governor performs is that of acting as commander-in-chief of the military and naval forces of the state, except when they are called into the service of the United States. In exercising this power the governor ordinarily acts through the adjutant general, who is appointed by him. Although appointed by the governor, the ad-

[41] Wilcox *v.* People, *90 Illinois*, 186.

jutant general is not subject to removal by him, but only by court-martial. The governor may, by proclamation, require the enrollment of the unorganized, or reserve, militia.[42] The purposes for which the militia may be called out are specified in the constitution, viz., "to execute the laws, suppress insurrection and repel invasion." These phrases are sufficiently broad to cover practically every sort of emergency which might necessitate the use of the militia. Whether the occasion requires the calling out of the militia is a question of which the governor is practically the sole judge, and he may act entirely on his own initiative and responsibility. In practice, however, he usually waits until he receives a request for assistance from the sheriff, states attorney, mayor, or other law-enforcing officer. The most frequent use of the militia has been to disperse mobs which are attempting to take the law into their own hands, and, within recent years, to maintain order during disturbance incident to strikes and lockouts. In the administrations of both Governors Deneen and Dunne, an urgent public demand arose that the governor should call out the militia to enforce the Sunday closing statute, which was notoriously disregarded in certain cities. The attorney-general in both administrations, however, held that no such duty rested upon the governor, but that the responsibility rested upon the local officers, who, if derelict, should be removed in the manner provided by law.[43]

The governor ordinarily carries on such relations as exist between the state and other states or the government of the United States. If, during the recess of the general assembly, an insurrection or other disorder arise in the state which the militia is unable to cope with, it is the duty of the governor to call upon the United States government for assistance to meet the emergency. In 1894, during the Chicago railroad strike, Governor Altgeld declined to call upon the United States gov-

[42] Constitution, article v, section 14, article xii, section 3; *Hurd's Revised Statutes,* chapter 129, sections 3, 118.

[43] *Report of the Attorney-General,* 1906, p. 56, 371-372; *Opinions of the Attorney-General,* 1915, p. 78-81.

ernment for assistance, but President Cleveland nevertheless sent troops into the state for the purpose of enforcing the laws of the United States in spite of the protest of the governor, who denounced the action of the president as a violation of the fundamental right of local self-government. The action of the president, however, was subsequently upheld by the supreme court of the United States.[44]

The governor is also the agent of the state in its dealings with other states in connection with the extradition of fugitives. When a person who is accused of having committed a crime in Illinois has escaped into another state, it is the duty of the governor of Illinois to make requisition upon the governor of the state to which the fugitive has fled to deliver him up. If he has escaped to a foreign country, the governor may call upon the secretary of state of the United States to make the request for the extradition upon the authorities of such foreign country. When a person accused of a crime in another state has escaped into Illinois, it is the duty of the governor of Illinois to give him up upon demand of the proper authority, of the other state. The governor, however, may first hold a hearing in order to satisfy himself as to the regularity of the proceedings, and if he deems it inexpedient to give the prisoner up, he cannot be compelled by legal process to do so.[45]

Under the constitution, the governor is authorized to grant pardons, reprieves, and commutations of sentence for all offenses against the state, whether felonies or misdemeanors.[46] The governor cannot pardon a person who is being tried for an offense against the state but must wait until after his conviction. The governor might even pardon a person after his release upon the expiration of the term for which he was sentenced, if new evidence conclusively proves his innocence. The effect of this is to restore to the ex-convict the rights of citizenship which he forfeited as a result of his conviction. A pardon

[44] *In re* Debs, *158 United States,* 564.

[45] *Report and Opinions of the Attorney-General,* 1914, p. 158-159; Kentucky *v.* Dennison, *24 Howard (United States),* 66.

[46] Article v, section 13.

under these circumstances, however, would be a rather empty consolation, but the state makes no general provision for indemnity in such cases, which, on the whole, seldom occur.

The exercise by the governor of the pardoning power is subject to such regulations as may be provided by law relative to the manner of applying therefore. The legislature has provided that application shall be made to the governor by petition in writing giving the facts of the case and the reasons why the petition should be granted, accompanied by statements of the judge and prosecuting attorney who figured in the case, and a notice of the application shall be published in a newspaper of the county where the conviction was had.[47] These provisions are intended to prevent *ex parte* proceedings and to bring to light all facts bearing on the case. Prior to 1897 governors were much burdened with the consideration of applications for pardon, and in some cases perhaps yielded unwisely to the entreaties of friends of convicts. Governor Altgeld especially was severely criticized for alleged undue and excessive exercise of the pardoning power. Among those whom he pardoned were certain so-called anarchists who had participated in the Haymarket riot of 1886. A double lynching which occurred at Danville in 1895 was said to have been inspired by the fear that the governor might pardon the prisoners.[48] In his first regular message to the general assembly, Governor Tanner recommended the creation of a board of pardons in order to assist the governor in the exercise of the power and to remedy some of the abuses that had grown up in connection with it.[49] Accordingly by an act of 1897, the legislature created the state board of pardons, composed of three members appointed by the governor and senate. The manner of applying for pardons since the creation of this board is much the same as before except that the notice of application is addressed to the board and the petition for pardon is filed with the board instead of with the governor. The board holds hearings on ap-

[47] *Hurd's Revised Statutes,* chapter 104a, sections 1 and 2.
[48] *Chicago Tribune,* May 28, 1895.
[49] *Senate Journal,* 1897, p. 173.

plications for pardons or commutations and makes a report on each case to the governor accompanied by the conclusions and recommendations of the board. Such recommendations, however, have merely advisory force and the governor may disregard them if he sees fit. The governor is ordinarily too much occupied with other business to give personal attention to each case, and therefore usually follows the recommendations of the board. By an act of 1899, the board was given the further power of passing upon the cases of prisoners who desire to be released on parole. In order to avoid encroachment upon the governor's constitutional power of pardon, the final release of the prisoners is made to depend upon the approval of the governor.[50] By the consolidation act of 1917, the state board of pardons is abolished and its powers and functions are transferred to the newly created state department of public welfare.[51] The introduction of the parole and probation systems in Illinois has reduced the necessity for the frequent exercise by the governor of his power of pardon or commutation. The governor may sometimes exercise his power of pardon, commutation or reprieve for some ulterior purpose. Thus Governor Dunne granted a reprieve to a man sentenced to be hanged for murder in Jackson county, not because there was any doubt as to his guilt but with the object of securing from the sheriff in charge definite assurance that the execution would be carried out in as orderly, decent, and private a manner as practicable.

Among the miscellaneous functions of the governor is that of presiding over the state canvassing board which meets to canvass the votes for United States senators, representatives in congress, and in the state legislature and for various state officers. Upon the governor is also laid the ministerial duty of issuing certificates of election and announcing by proclamation the results of the canvass. If the governor, however, fails to perform such duty, he cannot be compelled by mandamus to do

[50] *Report and Opinions of the Attorney-General,* 1914, p. 440-443; *Hurd's Revised Statutes,* chapter 38, section 502; People *v.* Nowasky, *254 Illinois,* 146.
[51] *Laws of 1917,* p. 27.

so.[52] The governor is also *ex officio* a member of the state primary canvassing board, and of various other boards.

The result of an election for the uniting of counties is also set forth in a proclamation of the governor. Under the seventeenth amendment to the constitution of the United States the governor may cause vacancies in the representation of Illinois in the United States senate to be filled by popular election, or may by law be authorized to fill them by temporary appointments. In the case of vacancies in some state elective offices, such as judges of the state supreme or circuit courts, the governor may cause them to be filled either by issuing writs of election or by making appointments, according to whether the unexpired portion of the term is more or less than one year in length. Other vacancies, such as in the state legislature and in the lower house of congress can be filled only by writ of election issued by the governor.[53]

Under the charter of the Illinois Central railroad, the governor is made a sort of state railroad commissioner with reference to this company through his power to pass upon the correctness of the accounts of the railroad in order to determine the amount of the seven per cent gross receipts tax. In a special message to the legislature in January, 1907, Governor Deneen attacked the railroad company on the ground that important items of income had not been included in the company's report of gross receipts. At the governor's instigation a suit was started by the attorney-general which resulted in a decision by the supreme court requiring the railroad company to give a proper accounting.[54]

[52] *Hurd's Revised Statutes,* chapter 46, section 78; People *ex. rel. v.* Dunne, *258 Illinois,* 441; *Opinions of the Attorney-General,* 1915, p. 459.

[53] *Hurd's Revised Statutes,* chapter 46, sections 129, 130, and 131. The governor is also empowered to approve the bonds of certain state officers.

[54] *Private Laws of 1851,* p. 71; State *v.* Illinois Central Railroad Company, *246 Illinois,* 188.

XI. STATE OFFICERS, BOARDS, AND COMMISSIONS

STATE officers, in general, are those whose duties are coextensive with the state, and they are thus distinguished from county and local officers.[1] On account of the requirement that appropriations for the pay of members and officers of the general assembly and for the salaries of the officers of the government shall contain no provision on any other subject, it becomes a question of practical importance to distinguish between officers and employees.[2] In the language of the constitution, "An office is a public position created by the Constitution or law, continuing during the pleasure of the appointing power, or for a fixed time, with a successor elected or appointed. An employment is an agency, for a temporary purpose, which ceases when that purpose is accomplished."[3] The legislature has equal power to create offices and employments, and to provide for the method of filling them, where this is not prescribed by the constitution. The constitution provides that no person shall be eligible to any lucrative office under the state, who at the same time holds a seat in the general assembly, nor to any office of profit or trust in the state who has been convicted of bribery, perjury, or other infamous crimes or who, as collector or holder of public moneys, has failed to make proper accounting therefor. The general assembly may itself appoint employees, but cannot appoint or elect officers.[4]

Next in rank to the governor among state officers stands

[1] Evans *v.* People, *247 Illinois,* 547; but see City of Chicago *v.* Wright, *69 Illinois,* 318.

[2] Constitution, article IV, section 16.

[3] Constitution, article V, section 24; see also Fergus *v.* Russel, *270 Illinois,* 304. The distinction made by the court, however, is difficult of practical application.

[4] Constitution, article IV, section 3, 4, article V, section 10.

the lieutenant governor, who must have the same qualifications and be elected at the same time and for the same term as the governor. Unlike the governor and other state officers, however, he is not required to reside at the seat of government during his term of office and receives a much smaller salary, namely $2,500 per annum. In case of the death, conviction on impeachment, failure to qualify, resignation, absence from the state, or other disability of the governor, the lieutenant governor assumes the powers, duties, and emoluments of the office during the remainder of the term, or until the disability shall be removed.[5] When such vacancy occurs in the governor's office, the lieutenant governor becomes merely acting governor and at the same time retains the office of lieutenant governor.[6] Ordinarily, however, the only function which the lieutenant governor performs is that of acting as presiding officer of the senate. He has no vote in the senate except when that body is equally divided; nor does he ordinarily participate in debate, except that he may speak to points of order in preference to other members. He is *ex officio* a member of the executive committee of the senate.[7] During the organization of the senate at the beginning of the first regular session in a new administration, the lieutenant governor under the previous administration continues to preside over the senate until it is organized and the new state officers are declared duly elected. As presiding officer of the senate during its organization the lieutenant governor, since there is no committee on credentials yet chosen, must necessarily determine, temporarily, who is entitled to be sworn in and seated as members of that body.[8]

The secretary of state, like the lieutenant governor, is elected at the same time and for the same term as the governor. He thus derives his authority from the same source as that of the governor and is consequently not under the superior administrative control of the governor. His duties are prescribed,

[5] Constitution, article v, section 17.
[6] *Report of the Attorney-General,* 1912, p. 162.
[7] *Senate Journal,* 1915, p. 12, 18.
[8] *Opinions of the Attorney-General,* 1915, p. 457.

not by the governor, but by the constitution and statutes. Thus, under the constitution he is made keeper of the great seal of the state, to be used by him, officially, as directed by law. His duties are of a very miscellaneous character. Thus, he calls the house of representatives to order at the opening of each new assembly and presides over it until a temporary presiding officer has been chosen and has taken his seat.[9] He is the keeper of the public records and documents of the state and custodian of the buildings, grounds, furniture, and supplies of the state at Springfield. He has important functions to perform in connection with primary and general elections; he grants charters and certificates of incorporation, registers motor vehicles, and licenses chauffeurs. He was formerly *ex officio* state sealer of weights and measures and is still *ex officio* member of certain state boards. It will be seen that his duties are of a very heterogeneous character, and many of them might well be transferred to other officers or departments of the state government.

One of the most important of the older constitutional state officers is the attorney-general, who is elected by popular vote at the same time and for the same term as the governor. He receives an annual salary of $10,000 and is required by law to turn all fees collected by him into the state treasury. The powers and duties of the attorney-general are to some extent determined by the common law, but for the most part they are defined by statute. In general he appears in all cases before the courts in which the state is a party or interested and defends actions brought against any state officer in his official capacity. He represents the state before the court of claims and brings proceedings for the enforcement of the state laws. In his discretion he may at certain stages of the proceedings abandon the prosecution.[10] An important phase of his duties consists in acting as legal advisor to the governor, other state officers, the general assembly and either branch or any com-

[9] Constitution, article IV, section 9, article V, section 22.
[10] People *v.* Spring Lake Drainage and Levee District, *253 Illinois*, 479.

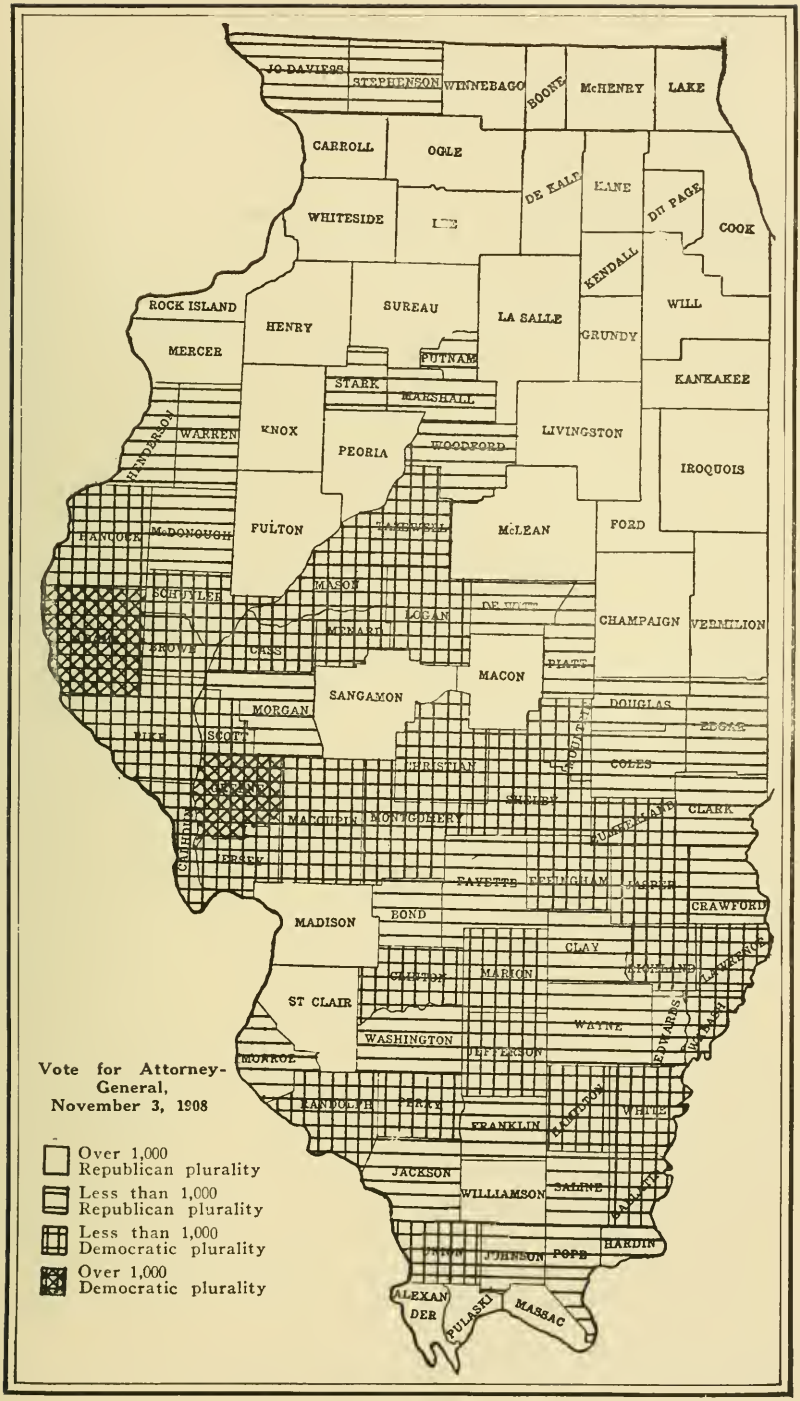
mittee thereof, to whom he is required, when requested, to give written opinions upon constitutional or legal questions. He is not required to give official opinions to municipal or other local officers nor to private individuals but may, as a matter of courtesy, do so. Among his miscellaneous duties, he served formerly as *ex officio* member of the board of commissioners of state contracts; and, by an act of 1913, he exercises general supervision over the assessment and collection of the state inheritance tax.[11]

In spite of his important powers, the legal business of the state has not heretofore been concentrated in the hands of the attorney-general. It has been divided among the attorney-general, the special attorneys for various state boards, departments, and commissions, and the local prosecuting attorneys, known as states attorneys. Neither the special attorneys nor the states attorneys have been under any effective control by the attorney-general. The constitutionality of the practice of employing special attorneys for state departments and boards, though sanctioned by legislative enactments, has been questioned by Attorneys-general Howland J. Hamlin, William H. Stead, and Patrick J. Lucey.[12] No authoritative decision upon this question, however, was had until 1915 when the supreme court held, that "The Attorney General is the chief law officer of the State and the only officer empowered to represent the people in any suit or proceeding in which the State is the real party in interest, except where the constitution or a constitutional statute may provide otherwise, and . . . . he is the sole official adviser of the executive officers and of all boards, commissions, and departments of the State government;" and, consequently, an appropriation to the state insurance superintendent for the legal services of special counsel is unconstitutional and void.[13] The law business of the state is thus largely concentrated in the hands of the attorney-general,

[11] *Laws of 1913*, p. 513.

[12] *Report of the Attorney-General*, 1901-1902, p. 7, 391; 1908, p. ix; *Report of the Efficiency and Economy Committee*, 957.

[13] Fergus *v.* Russel, *270 Illinois*, 304.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KANKAKEE
STARK
MARSHALL
KNOX
LIVINGSTON
HENDERSON
WARREN
PEORIA
WOODFORD
IROQUOIS
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RICHLAND
LAWRENCE
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EDWARDS
WABASH
WASHINGTON
JEFFERSON
MONROE
RANDOLPH
PERRY
FRANKLIN
HAMILTON
WHITE
JACKSON
WILLIAMSON
SALINE
GALLATIN
HARDIN
UNION
JOHNSON
POPE
ALEXANDER
PULASKI
MASSAC
Vote for Attorney-General, November 3, 1908
Over 1,000 Republican plurality
Less than 1,000 Republican plurality
Less than 1,000 Democratic plurality
Over 1,000 Democratic plurality

though he may assign assistant attorneys from his office to take care of the litigation of particular state boards and commissions.

Some lack of concentrated authority in the handling of the state's legal business, however, still exists on account of the practical independence of the states attorneys. It has been recommended by Attorney-General Lucey that the legislature should give the attorney-general supervisory power over the states attorneys by vesting in him the power of removal for incompetency or neglect of duty and by giving him the right of directing the states attorneys in the conduct of the business of their offices, so as to "simplify the matter of minor prosecutions now conducted by the several State boards and commissions" and to "give to the Attorney General the right to instruct and order the State's attorney of any county to handle any matter that might be pending in his county." [14]

Among the important financial officers of the state are the state treasurer and the auditor of public accounts. They are chosen by popular vote at the same time as the governor and other state officers, but the treasurer's term is only two years, while that of the governor and heads of departments is four years. An election for treasurer consequently also occurs in the middle of the term of the governor and at the same time with the election of the state superintendent of public instruction. The term of the treasurer was made shorter than that of the other state officers with the object of preventing possible abuses which might occur if the tenure of office were too great. With the same object in view the treasurer was made ineligible to succeed himself during the two years next after the end of his term. If, however, the treasurer gives adequate security for good behavior and the proper handling of the public funds, which the governor is authorized to require of him, no good reason appears why he should not also serve for a term equal in length to that of the governor and other state officers.

The treasurer is charged by law with duties connected with

[14] *Report of the Efficiency and Economy Committee*, 960.

the receipt, safekeeping, and disbursement of state moneys. He cannot receive or disburse any funds, however, except upon the order or warrant of the state auditor. His functions are thus largely of a ministerial character, but he may exercise the discretionary power of selecting certain banks as state depositories. Prior to 1908, Illinois practiced what is known as the independent treasury system. That is, in legal contemplation, the moneys of the state, as soon as they reached the state treasurer, were put in a strong box in his office and kept there until drawn out in accordance with law. The state treasurer had no authority to loan state funds nor to deposit them in banks. In practice, however, it was alleged that the law was not always strictly complied with and that state funds were sometimes loaned, while the state treasurer benefited personally from the interest thereon. In 1906, the candidate for the republican nomination for state treasurer made it a condition of his taking the place on the ticket that the state platform declare for the return to the state treasury of all interest on public money.[15] In 1908 an act was passed directing the deposit by the state treasurer of state funds "in such banks in the cities of the State as in the opinion of the treasurer are secure and which shall pay the highest rate of interest to the State for such deposits."[16] There are now several hundred depository banks throughout the state, but no adequate means are provided for holding the state treasurer to account for the interest on public money.

In order to act as a check upon the treasurer, a separate financial officer, the auditor of public accounts, is provided. His main function is to see that no money belonging to the state is expended except in accordance with appropriations made by law. He thus in reality represents the legislature and acts as its executive agent to safeguard the appropriations, and from this point of view it would seem to be preferable that he be appointed by the legislature rather than elected by popular

[15] *Chicago Tribune,* August 19, 1906, January 12, 1907.
[16] *Hurd's Revised Statutes,* chapter 130, section 22.

vote. The auditor publishes at the conclusion of each legislative session a statement of the appropriations made at that session. He has no special control or influence, however, over the policy or expediency of making the appropriations. The auditor of public accounts and the state treasurer both serve as *ex officio* members of various state boards, such as the former board of commissioners of state contracts and the state tax levy board, which fixes the rate of taxation for state purposes.

Prior to 1906, it had for many years been the custom for state treasurers and auditors to appropriate to their personal use certain funds belonging to the state through what was known as the "registered bond fee" system. Such funds consisted of taxes levied and collected to defray the costs to the state of registering municipal bonds and disbursing the bond funds. At the instance of Governor Deneen, the attorney-general brought suit against ex-auditors and ex-treasurers for the recovery of money thus illegally withdrawn. Upon appeal to the supreme court, it was held that the state was entitled to recover such funds with interest from the time when the demand was made for their return.[17] The amount of money involved was about a third of a million dollars.

Prior to 1911, it was customary for many state and local officers and institutions to collect fees for their official services and appropriate them to their personal use or to defray the expenses of performing their services, paying only the balance, if any, into the public treasury. Some officers received their compensation entirely from fees, receiving no salary. As early as 1895 the State Bar Association went on record as in favor of the abolition of the system of paying public officers by fees instead of salaries.[18] Finally, in 1911, it was enacted that all moneys received by state officers, boards, commissions, departments, and institutions for and on behalf of the state from fees or other sources should be paid into the state treasury. Such

[17] *Report of the Attorney-General*, 1908, p. xxii.

[18] *Proceedings of the Illinois State Bar Association*, 1895, p. 152; 1898, part 2, p. 13.

funds, therefore, cannot be expended except as authorized by appropriation acts of the general assembly.[19] The consolidation act of 1917 also provided that the gross amount of money received by every state department, belonging to the state, shall be paid into the state treasury without delay and without any deduction on account of fees or other charges.[20]

The state treasurer receives from the county treasurers or collectors the proceeds of state taxes collected, at stated intervals, and the county treasurers are also required to make reports regarding such taxes to the state auditor. Neither the auditor nor the treasurer, however, had formerly any supervisory power over the reports of the county treasurers. It sometimes happened that large sums of money belonging to the state lay in the county treasuries which the state may have greatly needed, but the county treasurers could not be required by the state treasurer to pay the money to the state until the date specified in the statute. By a recent act, however, the state control over county collectors is strengthened.[21]

In 1901 a bill was passed by the general assembly, but vetoed by Governor Yates, the design of which was to centralize the supervision of all public accounts in the hands of the state auditor. At the following session in 1903, a bill was introduced to create a state board of public accounts, to be composed of the state auditor, the president of the board of charities, and a public accountant. The work to be undertaken by the board was to prescribe the way in which all state accounts should be kept, to publish quarterly the condition of the state's finances, and to publish the payroll of all state institutions — in short, to systematize the business of the state and give to the public an account of the expenditure of its money.[22] This bill, however, also failed to become a law.

The efficiency and economy committee, created in 1913, recommended the establishment of a state finance commission,

[19] *Hurd's Revised Statutes,* chapter 102, section 11; *Report and Opinions of the Attorney-General,* 1913, p. 164.

[20] *Laws of 1917,* p. 14.

[21] *Ibid.,* p. 664.

[22] *Chicago Tribune,* May 14, 1901, March 23, 1903.

to be composed of the state auditor, state treasurer and three appointive members. The auditor was to be empowered to audit the accounts of state officers and institutions and also of certain local officers, to investigate and enforce the collection of state revenues, and to issue to the fee-collecting offices certificates for which fees are paid, as a means of auditing collections from such sources.[23] These recommendations, however, have not yet been put into force. The consolidation act of 1917, though creating a state finance department, could not, of course, materially change the position of the state treasurer and auditor, who are constitutional officers. The act might, however, have affected the statutory powers of the state constitutional officers, but failed to do so. Thus, the attorney-general still retains the power of collecting the inheritance tax, the auditor of public accounts still has charge of the supervision of banks and building and loan associations, and the secretary of state continues to supervise some corporations and to enforce the automobile and anti-trust laws. The existence of these statutory powers in the hands of independent, elective, constitutional officers tends to disintegrate the administration; they should be transferred to other agencies.

The relation of the heads of state executive departments, such as secretary of state, attorney-general, state treasurer, and auditor, to the governor is one of independence rather than of subordination. He has no power to appoint them, except in the case of a vacancy occurring before the end of a term, nor to remove them for good and sufficient cause. They are required by law to make periodical reports to the governor, and he may require information from them at any time upon any subject relating to their duties. For the most part, however, they are subject to the control of the legislature, partly through the possibility of impeachment but more especially through the passage of laws prescribing their powers and duties within the limits of the constitution. The power and duties of executive officers are partly prescribed by the constitution and partly pre-

[23] *Report of the Efficiency and Economy Committee,* 180.

scribed by law.[24] The legislature may thus impose upon the executive officers of the state such duties as it sees fit, not inconsistent with their duties imposed by the constitution; and it may change their duties from time to time, transfer them from one officer to another, or require two or more of the officers to coöperate in the same work to such extent as it may deem best. It has even been held in regard to the secretary of state that, even in the performance of such duties as are imposed upon him by the constitution, he is not entirely independent of the legislature.[25] In order to promote harmony and efficiency of administration, the executive officers of the state should be subject to appointment and removal by the governor. Such a reform, however, would, of course, require constitutional amendment.

One of the most conspicuous developments in state administration of Illinois during recent decades has been the creation of numerous administrative agencies, known collectively as state boards and commissions. The investigations of the efficiency and economy committee in 1914 showed that, at that time, there were more than a hundred separate agencies of this character in the state. The large extent and varied conditions found in the state, together with its prominence in agriculture, industry, and manufacturing, has operated as one of the principal causes in producing this extraordinary number of such agencies, which is surpassed by only two or three states in the union. The expansion of the state administration through the creation of boards and commissions is in large measure due to the practical necessity that the state shall undertake new functions for the regulation of new conditions. Mere legislative action for this purpose has rightly been deemed insufficient, and administrative agencies have therefore been created. Among the more important matters which have been brought under the supervision or control of state boards may be mentioned public health, charities and corrections, education, equali-

[24] Constitution, article v, section 1.
[25] People *v.* McCullough, *254 Illinois*, 9.

zation of taxes, public utilities, agriculture, and the civil service.

The extent of the powers and duties of state boards and commissions vary from slight supervision to practically complete control. In character, such powers are, for the most part, of an executive or administrative nature; but they also frequently are granted powers of a subsidiary legislative character, such as issuing rules and regulations, or of a quasi-judicial character, such as holding hearings, issuing subpoenas, and taking testimony. In general, it may be said that state administrative agencies are created for the purpose of enforcing or supervising the enforcement of a portion of the substantive law of the state. Thus, the Illinois industrial board, created in 1913, was charged with the supervision of the enforcement of the workmen's compensation law. The state board of health has been charged with the enforcement of various laws such as that requiring registration of births and deaths. For the complete enforcement of such acts, however, the boards are dependent upon the coöperative action of other authorities. Thus, for the prosecution of the violation of the act mentioned the board of health is dependent on the states attorney of the county in which the violation occurs. Similarly, prosecutions for the violation of the pure food law of Illinois are under the control of the states attorney of the proper county. The unreliability of local police officers and constables in coöperation with state boards in enforcing state laws has sometimes led to the vesting of police functions in the boards themselves or their agents. Thus, the Illinois fish and game commission, its wardens and deputies, were empowered, by an act of 1915, to arrest, without warrant, anyone violating the provisions of the fish and game law.[26]

The action of state administrative agencies in enforcing the law intrusted to their care, however, is in nearly all cases subject to judicial review, in order that individual rights may not be jeopardized by arbitrary administrative action. Thus, the

[26] *Laws of 1915*, p. 461, 670, 710.

lawfulness and reasonableness of any order of the public utilities commission is made subject to review by the courts.[27] The administrative action of state boards and commissions is sometimes paralyzed through the issuance of injunctions by the courts. Some recent tendencies, however, may be discerned in the direction of greater conclusiveness of the determinations by state administrative agencies. Thus, the decisions of the state industrial board were made conclusive unless reviewed in accordance with certain restrictive regulations. The statute creating the state board of examiners of architects authorized the board to revoke the licenses of architects on specified grounds after a hearing, and the supreme court upheld the constitutionality of the grant on the ground that due process of law in revoking a license does not necessarily consist of judicial proceedings in court.[28] In a recent decision construing the powers of the state industrial board, the supreme court held that the decision of the board can be reviewed for errors of law only and that, in the absence of fraud, both the circuit court and the supreme court are bound by the decision of the industrial board if there is any legal evidence to support it.[29]

Even this slight tendency toward greater conclusiveness of administrative determinations and the corresponding narrowing of the scope of judicial review is a recognition of the fact that the danger of abridging individual rights through arbitrary administrative action may be a lesser evil than the danger to the general welfare resulting from placing too great a curb upon the speed and efficiency of administrative action.

The internal organization of state administrative agencies is subject to the close control of the legislature, both through the passage of the laws creating the boards, prescribing their powers and providing for the number of their staffs and employees and also through the power of appropriating the neces-

[27] *Laws of 1913,* p. 495-496; State Public Utilities Commission *v.* Toledo, St. Louis, and Western Railroad Company, *267 Illinois,* 93.

[28] *Laws of 1915,* p. 410; *Hurd's Revised Statutes,* chapter 10a, section 10; Klafter *v.* State Board of Examiners of Architects, *259 Illinois,* 15; *Lawyers Reports Annotated,* new series, 46: 532.

[29] Munn *v.* Industrial Board of Illinois, *274 Illinois,* 70.

sary funds for paying the salaries and expenses. The general assembly began, in 1895, the practice of itemizing the appropriations, so that at present, such appropriation acts usually enumerate the various clerks and employees of the board, specifying the exact salary to be paid each. They also frequently go into great detail in specifying the exact sums that may be disbursed for each item of expense. Thus, the general assembly of 1915 appropriated to the state industrial board $364 per annum for towels and $60 per annum for ice and water.[30] In many cases, however, a lump sum is also appropriated for contingent expenses, as it is impossible for the general assembly to foresee in every case all financial needs that may arise. In 1917, a plan was formulated which seeks to adopt a uniform classification for all appropriations.

State administrative agencies created by legislative authorization, have, for the most part, been organized on the collegial principle. Provisions have also frequently been embodied in the law requiring minority representation on state boards. This practice, however, tends to divide responsibility and has been condemned by the efficiency and economy committee, on the ground that it facilitates bipartisan combinations for the control of the offices at the disposal of the board. It has also been observed that the device of bipartisan representation "enables those boards to be particularly successful in securing large appropriations, ... and also enables them without great difficulty to thwart any threatened investigation," for the "washing of dirty linen" in public would be equally injurious to the interests of both parties.[31] In the case of the state board of equalization the collegial principle is apparently utilized for the purpose of giving representation to the different geographical sections of the state.

Moreover, the various state boards have not been very well articulated with each other and with the other agencies and departments of the state government. The members of

[30] *Laws of 1915*, p. 232.

[31] *Proposed Legislative Measures to Carry into Effect the Recommendations of the Efficiency and Economy Committee*, 16-17.

state boards are usually appointed by the governor with the consent of the senate.[32] But the device of gradual renewal or overlapping terms of such members hampers somewhat the control which the governor might otherwise be able to exercise over them. Moreover, the relations between different boards having to do with closely related services have not been carefully worked out, with the result that some matters have been either inadequately regulated or have escaped supervision altogether. As will be seen, however, many of these difficulties have been overcome through the abolition of a number of boards by the consolidation act of 1917.

In addition to the above difficulties and evils which have grown up in connection with the board system it has been noted that the expenditures of the state government have increased hand in hand with the increase of state boards. The biennial appropriations have grown from approximately sixteen million dollars in 1905 to about forty-six million dollars in 1915. In the former year this was about three dollars per capita; in 1915 it was about seven and one-half dollars per capita. Of the amount appropriated in 1915, about fifteen million dollars annually were to be expended by state boards and commissions.

Much of this increase has of course been due to the general rise of prices and the consequent increasing cost of carrying on governmental operations. It has also been due in part to the assumption by the state of expenditures for new purposes, such as increased state aid to education, charitable administration, and the promotion of good roads. There has been a growing feeling, however, that much of this increased cost of running the state government has been due to the increase of state boards, the cumbrousness and duplication of governmental machinery, and uneconomical methods of discharging public functions. The realization of these facts has led to a movement for the abolition of useless boards and the consolidation

[32] Exceptions to this rule are the state board of equalization and the board of trustees of the University of Illinois, which are elective by popular vote.

of others into a more logical unified system. As early as 1897 the evils of too many state boards were perceived and warned against by the president of the state bar association. "While many of these boards are necessary," he declared, "yet the increase is surprising, and indicates a tendency to multiply the tax eaters at the expense of the taxpayers."[33] In 1899, one of the leading newspapers in the state denounced editorially the tendency of the legislature to create too many boards and commissions. In 1909, a committee of the house of representatives, appointed to investigate the charitable, penal, and reformatory institutions, recommended that these institutions be consolidated under the management of one board of control. A special senate committee also made a similar report. The result was the passage of a law bringing the various state charitable institutions under the management of the state board of administration. In 1913 the fish and game commissions were consolidated into one commission. The results of these consolidations were undoubtedly in the direction of greater economy and efficiency. This is illustrated by the fact that the total appropriations asked of the forty-ninth general assembly by the separate charitable institutions, as stated in the so-called budget of the legislative reference bureau, amounted to more than a million and a half dollars more than the total appropriations requested for all these institutions by the state board of administration.[34]

In his farewell message to the legislature in January, 1913, Governor Deneen suggested the creation of a commission for conducting an "investigation of plans for the coördination of existing boards and commissions whose duties overlap or are so similar as to permit of unification and reduction in number while improving their methods and the economy of their administration."[35] Accordingly, by joint resolution of the forty-

[33] Address of J. H. Hamline in *Proceedings of the Illinois State Bar Association*, 1897, part 2, p. 5-6.

[34] *Chicago Tribune*, February 13, 1899; *Hurd's Revised Statutes*, chapter 23, section 5; *Laws of 1913*, p. 363; *Proposed Legislative Measures to Carry into Effect the Recommendations of the Efficiency and Economy Committee*, 9.

[35] *Senate Journal*, 1913, p. 132.

eighth general assembly a joint committee, composed of four senators and four representatives, was created "to investigate all departments of the State government, including all boards, bureaus and commissions . . . . such investigation to be made with a view of securing a more perfect system of accounting, combining and centralizing the duties of the various departments, abolishing such as are useless and securing for the State of Illinois such reorganization that will promote greater efficiency and greater economy in her various branches of government." [36]

During 1914 the structure of the board system was subjected to an elaborate examination by the efficiency and economy committee. As a result of its investigations, the committee reached the following conclusions in regard to the administrative disintegration produced by the board system:

"Under the existing arrangements inefficiency and waste necessarily arise from the lack of correlation and cooperation in the work of different offices and institutions which are carrying out similar or closely related functions. There are separate boards for each of the State penitentiaries and reformatory and for each of the State normal schools. There are half a dozen boards dealing with agricultural interests; and about a score of separate labor agencies, including four boards dealing with mining problems and eight free employment offices, each substantially independent of each other. State finance administration is distributed between a number of elective and appointive officials and boards without concentrated responsibility. The supervision of corporations and of banks, insurance companies and public utilities is exercised by a series of distinct departments. State control of public health is divided between various boards with no effective means of coordination. Nor is there any official authority for harmonizing the work of the numerous educational agencies." [37]

With regard to the lack of effective supervision and control

[36] *Laws of 1913*, p. 623.
[37] *Report of the Efficiency and Economy Committee*, 19.

over the numerous boards, the findings of the committee were as follows:

"As a result of the absence of any systematic organization of related services, there is no effective supervision and control over the various State offices, boards and commissions. It is true that the greater number of these are under the nominal supervision of the Governor, through his power of appointment and removal. But the very number of separate offices makes impossible the exercise of any adequate control. To a very large extent each authority is left to determine its own action; conflict of authority between two or more offices is often possible; and if harmony and cooperation is secured it is by voluntary compromise rather than by the advice or decision of a superior authority. Under the present arrangements too many independent authorities have power to make expenditures subject to no effective centralized control or responsibility. This situation necessarily leads to waste and expenditure."[38]

As a result of its findings, the committee recommended the enactment of laws which would introduce greater economy, efficiency, and concentration of responsibility into the state administration. In particular the committee recommended the consolidation and regrouping of the administrative services into ten principal departments, namely, those of finance, education, law, trade and commerce, labor and mining, health, agriculture, public works, charities and corrections, and military affairs.

At the next regular legislative session, that of 1915, after the report of the committee was submitted, bills were introduced designed to carry out the recommendations of the committee; but very little was done at that session toward putting the recommendations of the committee into effect. The most important act actually passed was one providing for the appointment by the governor and senate of a superintendent of printing and providing for systematic methods in contracting

[38] *Report of the Efficiency and Economy Committee*, 21.

for the purchase of printing and stationery.[39] To have carried out the recommendations in a thoroughgoing fashion at that time would have involved the abolition of many positions in the state service, which, however useless such positions might be, could not be done without arousing powerful opposition from the officeholders affected. Instead of consolidating or abolishing administrative agencies the forty-ninth general assembly created about a dozen new and independent boards and commissions. Two years later, however, the conditions were more propitious. In the campaign of 1916 the candidates for governor vied with each other in advocating the carrying out of the program of reform in state administrative organization indicated by the efficiency and economy committee. The platforms of the two leading parties, adopted in September of that year, each contained planks on the subject. The democratic plank declared in favor of the "enactment of laws for the consolidation of the different commissions of the state, as recommended in the report of the efficiency and economy commission." The republican plank favored the "consolidation of the boards, institutions and different departments, thereby eliminating useless and unnecessary offices and positions, avoiding overlapping functions and increasing efficiency."

Immediately after his election Governor Lowden had prepared a tentative draft of the consolidation bill and began to take energetic steps to carry out this plank of the republican platform. In his inaugural address to the fiftieth general assembly in January, 1917, he declared that "one of the imperative needs of the State is the consolidation of its multiplied agencies into a few principal departments." "Administrative agencies have been multiplied in bewildering confusion. They have been created without reference to their ability, economically and effectively, to administer the laws. Separate boards govern the penitentiaries, the reformatories, and the educational institutions. Several boards and commissions have

[39] *Proposed Legislative Measures to Carry into Effect the Recommendations of the Efficiency and Economy Committee, passim; Laws of 1915,* p. 671.

charge of matters affecting the agricultural interests. Administration of laws affecting labor is parceled out among numerous agencies, including several boards having jurisdiction of mining problems and several free employment agencies, each independent of the other. Our finance administration is chaotic, illogical and confused. The administration of the health laws is divided between boards and commissions, with no effective means of coordination. Our educational agencies are not harmonious. Over one hundred officers, boards, agencies, commissions, institutions, and departments are charged with the administration of our laws. No systematic organization exists and no adequate control can be exercised. Diffusion, rather than concentration and responsibility, mark our system." Governor Lowden gave his program for the consolidation of administrative agencies the right of way during the first few months of his term and declined to allow other matters to interfere with it. He shrewdly declined to make appointments to fill places under the old administrative organization as this would have greatly increased the difficulty of adopting the simplified plan if it did not entirely kill all chance of success in putting it through the legislature. Under the skillful leadership of the governor, however, the consolidation bill was introduced shortly after the beginning of the session, referred to separate or special committees constituted in each house to consider it, and passed both houses by substantial majorities and went into effect July 1, 1917.[40]

The consolidation act or civil administrative code follows in the main the recommendations of the efficiency and economy committee, but with certain modifications. While the committee had recommended the creation of ten principal departments, the consolidation act provides for only nine, as follows: finance, agriculture, labor, mines and minerals, public works and buildings, public welfare, public health, trade and commerce, and registration and education. Each department is under a head, known as the director, who is appointed for four-

[40] *Laws of 1917*, p. 2-36.

year terms by the governor with the consent of the senate. The principle is thus adopted of having a single officer instead of a board in charge of executive functions. Exceptions to this rule, however, consist in the provision for the industrial commission in the department of labor, the public utilities commission in the department of trade and commerce and the normal school board in the department of registration and education. Although nominally placed in the departments indicated, these boards are in reality independent of any control by the director of such departments. In addition to these executive boards, advisory and unpaid boards were also attached to some of the departments. More than fifty boards, bureaus, departments, and officers whose work was taken over by the nine departments established were specifically abolished.

In each of the nine departments there is an assistant director and other officers or heads of bureaus who are appointed in the same manner as the director. Civil service employees under the abolished officers and boards are transferred along with the functions of such abolished boards to the new departments created. Each department is given a considerable degree of control over its own internal organization. The director of each department is empowered to prescribe regulations, not inconsistent with law, for the government of his department, the conduct of its employees, and the distribution and performance of its business; and each department may employ necessary employees, under civil service regulations, and fix their compensation when not fixed by law. The governor is given no power of transferring services from one department to another; but one department may under certain circumstances require necessary assistance from another department; and the director of any department may require an employee of another department, subject to the consent of the superior officer of the employee, to perform any duty which he might require of his own subordinates. In order to avoid conflicts among the departments, it is provided that "the directors of departments shall devise a practical and working basis for co-

operation and coordination of work, eliminating duplication and overlapping of functions. They shall, so far as practicable, cooperate with each other in the employment of services and the use of quarters and equipment."

In order further to avoid duplication and friction the department of finance is empowered "to investigate duplication of work of departments and the efficiency of the organization and administration of departments, and to formulate plans for the better coördination of departments."

In addition to consolidation of departments, the act also provides for the preparation of a state budget, under the supervision of the department of finance. Each department, office, and institution is required to file biennially in the office of the director of finance on uniform blanks prescribed by the director estimates of receipts and expenditures for the succeeding two years, with an explanation of reasons for each item of expenditure requested. The director of finance is empowered to investigate all items and to revise the estimates before submitting them to the governor for transmittal to the general assembly. The governor is required to submit to the general assembly not later than four weeks after its organization a state budget, embracing the amounts recommended by him to be appropriated to the respective departments, offices, and institutions, and for all other public purposes, the estimated revenues from taxation and from other sources, and an estimate of the amount required to be raised by taxation. Thus the budget, when it reaches the general assembly, has official support and authority of the governor, though it may, of course, be altered by the general assembly in any way it sees fit. The submission of such an official budget, backed by the authority and prestige of the governor, should be an important step in the direction of more economical expenditure of state money.

Another step in the same direction is the power of the department of finance to prescribe uniform rules governing specifications for purchases of supplies for the several de-

partments. The actual purchase of most of the supplies needed by the various state departments and by the charitable, penal, and reformatory institutions is concentrated in the hands of the department of public works and buildings.

It should be noted that the consolidation act does not undertake to reorganize the whole field of state administration, and certain important agencies are unaffected. The department of finance does not control the state auditor and treasurer nor the administration of the revenue laws. The act does not affect the constitutional officers, such as secretary of state and attorney-general, nor their constitutional functions. It does not even affect their statutory functions. Many statutory bodies and agencies are also left outside the new departmental organization, such as the state board of equalization, the board of trustees of the University of Illinois, the adjutant-general and national guard, the state civil service commission, the legislative reference bureau, and the state library. Nevertheless the consolidation act has gone far toward introducing a scientific and efficient form of administrative organization in the state government and is undoubtedly the most important step in this direction which has thus far been taken by this or by any other state. The actual working, however, of this efficient and scientifically constructed machinery must still depend largely on the governor and upon the character of the men whom he appoints to the various directorships.

XII. ADMINISTRATIVE SERVICES

THE process of centralization in state administration has proceeded along two lines. First, functions formerly exercised by the localities have been taken over by the state, or, if left primarily with the localities, have been placed under the supervision of the state; and, secondly, the state has assumed functions not previously exercised by any governmental authority. Although some of the functions previously exercised by the localities have recently been assumed by the state or brought under state supervision, most of the newer state functions fall in the second of the two classes enumerated. The assumption by the state of the second class of functions is due in large measure to the rapid rise, within the last few decades, of new and complex industrial conditions and economic phenomena. This increasing complexity of social and industrial conditions, combined with the awakening sense of social solidarity, necessitates more and more the interference of the state for the purpose of regulating and controlling the operations of business and the processes of life. The force of circumstances and the changes in those varied and manifold conditions which go to make up the governmental environment have brought on a new era of state activity. New functions are undertaken by the state as the result of an effort, partly instinctive, partly conscious, to adapt itself to changes in this environment. The assumption by the state of each successive new function has, as a rule, involved the creation of a state executive or administrative board, commission, or other similar agency, to which is intrusted the direct exercise of the function. The creation of state boards and commissions, therefore, has gone hand in hand with the development of centralization in state administration. In general, such bodies may be

considered as administrative agencies created for the special purpose of enforcing or supervising the enforcement of a particular portion of the substantive law of the state. In the preceding chapter, some of the larger considerations which concern such boards and commissions in general have been noted. In the present chapter, the special characteristics of certain particular kinds of state boards and commissions will be considered in connection with the functional activities of which they are the instruments. For this purpose there will be chosen as typical the administration of charities and corrections, the administration of public health, and the supervision of corporations.

Prior to 1869 the state charitable institutions in Illinois were each under the control of a separate board of trustees which had the exclusive management of the institution, subject only to slight legislative supervision. Some degree of centralized supervision over these institutions was provided in 1869 through the creation of the state board of charities. Such boards, as found in the various states, may be roughly classified into supervisory boards and boards of control. The Illinois board, as originally created, was of the supervisory type. Its powers consisted, for the most part, in making inspections and investigations, giving advice, making recommendations, and submitting reports to the governor and legislature. In its report for the year 1900 the board thus described the situation:

"These fifteen charitable institutions have forty-nine trustees and there are five members of the board of commissioners of public charities, making in all fifty-four persons who are charged with the duty of seeing that these institutions are properly managed under the law. In addition they have fifteen local treasurers. All of the institutions are under the supervision of this board. Our duties, however, are merely advisory, we having no real executive or controlling power. Under the law we are required to visit each of them at least twice a year to see that the moneys appropriated for their

support are economically and judiciously expended, to see whether their purposes are accomplished and whether the laws in relation to them are complied with. It also requires us to inquire and examine into their methods of government and management, the conduct of their trustees, officers and employees, the condition of the property and into all matters pertaining to their usefulness and management. In addition to this the law requires us to approve their accounts. Notwithstanding all these requirements this board as constituted has no such executive power to enforce any of its recommendations as should be lodged in a central governing body." [1]

The lack of adequate control over the state institutions by the state board gave rise to many abuses and much complaint. This dissatisfaction was evidenced by the enactment in 1905 of a law designed to place the safeguards of civil service regulations around the appointment of employees in state charitable institutions. A general reorganization of charitable administration was effected by an act of 1909. By this act the separate boards of trustees over each institution were abolished and the state board of administration was created and given general management and control of all the charitable institutions of the state. The separate treasurers of each institution were also abolished and the institution funds placed largely in the hands of the state treasurer. The state board of administration thus not only displaced the separate boards of trustees in the practically absolute control of the state charitable institutions, but it was also given some power over local and private charitable institutions and associations. Thus, before private associations for the care of dependent and neglected children could be incorporated, they were subject to the examination and approval of the state board of administration.

Although the state board of administration was established as a substitute for the separate boards of trustees, it was not intended to take the place of the former state board of charities. It is true that the latter board was abolished by the act

[1] Quoted by Garner *Report on Charitable and Correctional Institutions,* 10.

of 1909, but in its place was created the state charities commission. This body was given powers of visit, investigation, and recommendation in regard to the institutions under the control of the state board of administration, as well as other institutions subject to its supervision. Under the act of 1909, therefore, there was introduced into Illinois what is known as the dual system of charitable administration, or a combination of a board of control with a supervisory or advisory board. One of the chief objections that might be urged against the dual system is the possibility of conflict or lack of coöperation between the two boards. Where the supervisory board, however, is given no administrative functions, as in Illinois, the danger of such conflict appears to be slight. It should be pointed out, moreover, that even from the standpoint of financial economy the dual system has this advantage, that, while the board of control may endeavor to secure the more immediate economies, the ultimate function of the supervisory board is to promote the much more far-reaching and important economy of securing, by preventive measures, a proportionate decrease in the number of persons dependent on the state's care, and thus incidentally decrease the expenditures of the state for this purpose.

Under the act of 1909, it was provided that there should be a fiscal supervisor, to be elected by the board of administration from among its own members, charged with the financial oversight of the institutions, and exercising his powers in cooperation with, and under the supervision of, the board. This was a compromise intended to secure the advantages of both the broader point of view of the board and also the specialized knowledge of the fiscal supervisor. The coöperation of the superintendents of the various charitable institutions in the consideration of fiscal matters wherein their familiarity with conditions is of value was also secured through the annual meetings of the board of joint estimate, composed of the superintendents of the several institutions and a committee of the state board of administration.

The act of 1909 did not apply to the penal and reformatory institutions of the state. Each of the penitentiaries was left under a separate board of commissioners, while the reformatory remained under its own board of managers. The members of the two penitentiary boards and of the reformatory board together composed the state board of prison industries, charged with the enforcement of the laws relating to prison labor. Such labor is carried on mainly for the manufacture of articles and supplies for state institutions, but it was provided that any surplus of prison products up to a certain extent which could not be used in the public institutions might be disposed of in the open market. The prices of all articles manufactured by prison labor and furnished to the state or its institutions were fixed by the board of classification, composed of the presidents of the boards of administration and of prison industries, together with the auditor of public accounts.

The system of administration of charities and corrections thus outlined was somewhat cumbrous. Although the two boards in the dual system of administration may be assigned entirely different functions so as to avoid the danger of conflict, nevertheless, this system is somewhat lacking in the elements of simplicity and definiteness of responsibility. The bill of 1909 in its original form had provided for placing the penal and reformatory, as well as the charitable institutions under the state board of administration. There seemed to be advantages to be gained in the grouping of all these institutions under one central control. In the constitutional convention of 1870, the proposition was brought forward to create a superintendent of public charities, with supervision over all the charitable institutions of the state, but it was not adopted.[2] Finally, however, in 1917, the proposal of 1870 for a single executive head and the proposal of 1909 for consolidated control over both charitable and correctional administration was carried into effect; and the whole system was directly linked with one of

[2] *Debates and Proceedings of the Constitutional Convention of Illinois,* 1870, 1:749-753.

the chief executive departments of the state government. The civil administrative code, enacted in 1917, abolished the state board of administration, the commissioners of the state penitentiaries, the board of managers of the state reformatory, the board of prison industries, and the board of classification, and intrusted their powers to a department of public welfare, under a director appointed by the governor, with the advice and consent of the senate. There was also created in the department a board of public welfare commissioners, composed of five persons, and charged with functions of an advisory and non-executive nature.[3]

The principal agencies provided for carrying on public health administration in Illinois are the following:[4] state board of health, state food commissioner and food standard commission, state board of pharmacy, state board of dental examiners, barbers' examining board, and state board of nurse examiners. Some functions related to public health are performed by the state department of factory inspection, the state water survey, and the rivers and lakes commission. In addition to these state agencies, much of the work of public health administration is in the hands of local agencies, such as county and municipal boards of health, and boards of trustees of sanitary, water, and drainage districts.

The work of the state board of health may be classified under the following heads: examining and licensing function, collection and dissemination of information, and measures for the prevention or eradication of disease. Under the act of 1877 creating the state board of health, that body was given power to license practitioners of medicine and surgery. But those who had been practicing for ten years, and holders of diplomas from medical schools were entitled to licenses from the board without examination. Others could procure a license

[3] *Laws of 1917*, p. 7, 17, 26.

[4] The present tense is here used as of the year 1915, and the statements in regard to public health administration are taken from the author's report on the subject, originally published in the *Report of the Efficiency and Economy Committee*, 647-653.

only by passing an examination given by the board. Licenses were subject to revocation by the board for unprofessional or dishonorable conduct. By various amendments passed since the original act and its revision of 1899, the state board of health has been given wider powers over the admission to the practice of medicine and surgery, and the powers of the board have been extended to include the admission to practice of persons who treat diseases by methods other than those of medicine and surgery.

By an amendment of 1907 the board is empowered to establish standards of preliminary education deemed requisite to admission to a medical college in good standing and to require satisfactory proof of the enforcement of this standard by medical colleges. Every applicant for a license must produce satisfactory proof to the board that he is a graduate of a medical college in good standing, as may be determined by the board, and must pass before the board an examination in those subjects a knowledge of which is commonly required of candidates for the degree of doctor of medicine by reputable medical colleges in the United States.

The board may confer licenses without examination, however, upon physicians licensed in other states in which the requirements of medical registration are deemed by the board to have been practically equivalent to those in force in Illinois, and upon physicians who have graduated from medical colleges in good standing and have passed examination before the United States army or navy, or the United States public health and marine hospital service. All licenses granted by the board must be recorded by the holder in the office of the county clerk in the county in which he resides or practices within three months from the date of the license.

Under the act of 1899, the state board of health is empowered to refuse to issue licenses to persons guilty of criminal practice or who advertise under names other than their own or for other unprofessional or dishonorable conduct and may revoke licenses for like causes. But before a license can be

refused or revoked, the applicant or holder is entitled to a hearing before the board. This act, however, has been construed by the supreme court as having no retroactive effect upon licenses issued before its passage. Under the act of 1877, creating the state board of health, that body is given general supervision of the state system of registration of births and deaths. The clerical services and safe-keeping of the bureau of vital statistics are provided by the secretary of state.

By act of May 6, 1903, it is made the duty of every physician and midwife, who attends the birth of a child, to make, within thirty days thereafter, a report of the occurrence, with such other information as may be required by the state board of health, in writing, to the county clerk of the county in which the birth takes place. In cities of fifty thousand population, such reports may be made to the city commissioner of health, who delivers them to the county clerk, who in turn delivers all reports to the state board of health. Likewise, reports of deaths are required to be made by physicians, midwives, and coroners to the state board of health, unless such deaths occur in the corporate limits of a city where permits must be secured before the body may be removed or buried. In such cases reports are made to the permit-issuing officer, who later forwards them to the state board of health. In order to secure uniformity in the information obtained, it is required that all such reports of births and deaths shall be made in strict accordance with forms prescribed by the state board of health. Blank reports in the prescribed form are to be printed by the county clerk and distributed free to physicians, midwives, and coroners.

Previous to 1903, no compensation was paid to persons making the required reports of births and deaths; and, partly in consequence of this omission, the law was a dead letter. Under the law of 1903, however, a fee of twenty-five cents is allowed for each report of a birth or death; and such fees, together with the cost of printing blank reports, constitute a charge upon the counties. Many counties fail to make ap-

propriation for such expenses, and in many localities the reports are fragmentary and lacking in accuracy.

The object of collecting vital statistics has been described as being "to give warning of the undue increase of disease or death that is presumed to be due to preventable cause, and also to indicate the localities in which sanitary effort is most desirable and most likely to be of use." This object cannot be attained without full and accurate statistics running continuously over a considerable period of time, and such statistics cannot be even approximately obtained when the collection is dependent in certain essential particulars upon the voluntary action of counties.

Reports of deaths are fairly complete from cities and villages requiring the issuance of burial permits, but deaths in other parts of the state and births nearly everywhere are very inadequately reported. There would seem to be a need for a new birth and death act, perferably one meeting the requirements of the United States census bureau.

In addition to collecting vital and mortuary statistics, the state board of health also conducts investigations into health conditions in various parts of the state in order to discover the causes of communicable diseases and to collect the necessary information as a basis for taking measures for the suppression of epidemics. The board maintains at Springfield a laboratory for the diagnosis of diseases and for the examination of specimens of various substances involved in the detection of disease. By special arrangement, the state water survey at Urbana takes care of the examination of the sources of water supplies and the study of the proper disposition of sewage. It makes chemical analyses of samples of drinking water sent to it for that purpose. The state board of health distributes diphtheria antitoxin free of charge to those who may be in need of it and unable to pay therefor. The board is empowered to appoint one or more agents in each county for the sale or distribution of the antitoxin.

Under the head of measures for the prevention or eradica-

tion of disease would be included such matters as the establishment and maintenance of quarantine, the abatement of nuisances, the control of epidemics in cities, villages, and townships when local authorities fail to take proper steps, the issuance of rules and regulations for carrying into effect the provisions of various acts for the protection of the public health, and the supervision of sanitary conditions in lodging houses and hotels in cities of one hundred thousand population and over. Among the rules and regulations issued by the board may be mentioned those dealing with the draining, construction, and plumbing of hotels and lodging houses.

To a large extent the state board of health is dependent upon local authorities and boards for the enforcement of its rules and regulations. It is made the duty of all local boards of health, health authorities and police officers, sheriffs, constables, and all other officers and employees of the state or of any county, village, city or township, to enforce the rules and regulations that may be adopted by the board. More specifically it is provided that persons guilty of violating any rule or regulation of the board shall be liable to a fine not exceeding $200 for each offense and to imprisonment in the county jail not exceeding six months, or both. At the instance of the board or its executive officer, it is made the duty of the states attorney in each county to prosecute all persons in the county refusing to obey the rules and regulations of the board.

The civil administrative code, enacted in 1917, abolished the state board of health, the board of pharmacy, the board of dental examiners, the board of nurse examiners, the board of barber examiners, the state food commissioner, and the food standard commission. The powers of the state board of health, with the exception of its examining functions, were intrusted to a department of public health, while the examining powers of the various health boards were intrusted to a department of registration and education, each department being under a director appointed by the governor with the advice and consent of the senate.

"Business corporations and businesses often conducted by corporations are under the jurisdiction of four separate State officials, namely, the Secretary of State, the Auditor of Public Accounts, the Insurance Superintendent, and the State Public Utilities Commission. The Secretary of State has general supervision over the incorporation of all corporations not otherwise provided for. His authority is contained in the general law and a series of supplementary laws relating to special classes of corporations. . . . . The Auditor of Public Accounts has general supervision over banks and banking institutions, trust companies, title guarantee companies and building and loan associations; and receives reports from pawners' societies. He also receives reports from corporations and railroads for purposes of assessment. . . . . All insurance companies, except assessment life and accident and title guarantee companies, are chartered by the Insurance Superintendent. Corporations for furnishing life or accident insurance on the assessment plan must submit their plan of organization, first to the Insurance Superintendent; if he approves of the plan he forwards it to the Secretary of State who then issues a certificate of incorporation. The same process is followed in making changes in the corporation. All insurance companies, except title guarantee companies, are supervised by the Insurance Superintendent."[5]

"Following the adoption of the Constitution of 1870, a railroad and warehouse commission was established in 1871, with important powers of supervision and regulation of railroads and public warehouses. This was one of the leading measures in the movement of this time for public regulation of railroads; and the litigation on its constitutionality resulted in a judicial decision — in the case of Munn *v.* Illinois — upholding the power of the State to regulate business affected with a public interest. . . . The Public Utility Law of 1913, which went into effect January 1, 1914, repealed the railroad

[5] Robinson, "Report on Supervision of Corporations and Related Business," *Report of the Efficiency and Economy Committee,* 701, 702.

and warehouse commission law . . . . and established a new State Public Utilities Commission with jurisdiction and general supervision over all classes of public utility companies. This commission consists of five members, appointed by the governor, with the advice and consent of the Senate, to serve —after the first appointment— for six years, one or two members retiring at a time. Not more than three members of the commission may be affiliated with the same political party. The chairman is designated by the governor. . . . The commission is authorized and required to approve all issues of capital stock, bonds and other securities issued by public utility companies. A corporation desiring to operate a public utility obtains its charter from the Secretary of State, but must secure the approval of the Public Utilities Commission before issuing securities. Annual reports in the form prescribed by the Public Utilities Commission are made directly to the said commission."[6]

The civil administrative code, enacted in 1917, did not affect the powers of the secretary of state or of the auditor of public accounts in relation to corporations. It, however, abolished the insurance superintendent and the state public utilities commission and vested their powers in a department of trade and commerce, in which a superintendent of insurance and a public utilities commission are created. This commission, however, is authorized to administer the public utilities law without any supervision or control by the director of that department.

[6] Robinson, "Report on Supervision of Corporations and Related Business," *Report of the Efficiency and Economy Committee*, 702-703, 735, 736.

XIII. CIVIL SERVICE AND CIVIL SERVICE REFORM

THE filling of positions in the public service remained under the spoils system in Illinois, with but few exceptions, until 1895. Conditions under this system became particularly odious in Chicago, and the evils manifested under it were especially flagrant in that city. During the earlier history of the state, when governmental operations and activities were comparatively simple and no great amount of training or technical skill in office was required, the filling of offices with party workers probably did no great harm. This practice was based not only on the idea that "to the victors belong the spoils," but also on the supposedly democratic principle of rotation in office. But, with the rise of the new industrial age and the accompanying assumption by the state and the cities of new economic and semi-scientific functions, the feeling grew and became widespread that the general welfare could not be properly safeguarded unless public offices were filled on the merit principle with men having the technical training and qualifications for the positions. Yet such was the force of the spoils system that, in his biennial message of 1895, Governor Altgeld suggested the "urgent need of legislation in regard to the civil service that will relieve executive officers, both state and municipal, of the constant and overwhelming importunity for place."[1]

In order to remedy these conditions, a movement was inaugurated by the civic federation and the civil service reform league to secure a law from the legislature establishing the merit system in Chicago. A bill drawn up by a committee representing these organizations was introduced in the legislature in January, 1895. It was passed by both houses in

[1] *Reports General Assembly*, 1895, 1:20.

March with an emergency clause requiring a two-thirds vote, signed by Governor Altgeld, and went into effect immediately.[2] It was a general optional law, applying only to such cities as might adopt it by popular choice. A vigorous campaign was immediately begun in Chicago to secure its adoption. Both the republican and democratic candidates for mayor of that city publicly supported it. Within two weeks after the bill was signed by the governor, it was adopted by the voters of Chicago, by nearly fifty thousand majority. Similarly favorable action was subsequently taken by Evanston, Springfield, and Waukegan. By the provisions of the act, a commission of three persons appointed by the mayor in each city adopting the act is placed in charge of its administration. The members of the commission serve for three-year terms subject to the power of the mayor to remove them for cause, and not more than two of them may be members of the same political party. The act applied to all officers and employees in the service of the city with certain exceptions, including those elected by the people, or whose appointment is subject to confirmation by the city council, judges and clerks of election, members of the board of education, the superintendent and teachers of schools, heads of departments, and members of the law department.[3] All other positions in the city service were to be classified by the commission and examinations were to be held to provide an eligible list from which appointments were to be made to fill vacancies in the classified service. Where practicable, such

[2] *Hurd's Revised Statutes,* chapter 24, section 446 ff.

[3] Among those exempt from the civil service law in Chicago were bridgetenders, because they were appointed by the mayor and confirmed by the council. They constituted one of the most demoralizing remnants of the traditional spoils system in that city. In 1901, the Citizen's Association of Chicago, after a careful investigation showed that in many cases "saloonkeepers and politicians are carried on the pay roll as bridgetenders, who employ substitutes to do their work and make a large profit." It showed, too, that in other cases bridgetenders "receive for their own services twice what they pay for similar services to assistants, and still others are paid to turn bridges that have been out of use for years and nailed up." The association estimated that "at least $25,000 a year can be easily saved by cutting out the dead wood on this pay roll and paying fair compensation to men who actually perform the labor where bridges actually require attention." The association accordingly recommended that all bridgetenders be placed under civil service rules. The recommendation, however, was for many years ignored. *Chicago Tribune,* December 13, 1905.

vacancies were to be filled by promotions upon the basis of ascertained merit, seniority in service, and examination. In the case of vacancies to be filled by promotion, it was made the duty of the commission to certify to the appointing authority the names of the three applicants having the highest rating, from whom alone the appointment might be made.[4] In the case of original appointment, however, the highest name only was to be certified, except that, in the case of laborers, the selection might be made by lot from among those candidates proved fit by examination. This was an innovation as compared with previous laws in the national government and in the other states. An original appointee was placed on probation for a period of six months, at the end of which time he might be dismissed with the consent of the commission for reasons assigned in writing by his superior officer. In cases where in an emergency it was impracticable to fill positions from the eligible list, temporary appointments might be made with the approval of the commission for a period not exceeding sixty days. This provision has unfortunately been subject to abuse. The Municipal Voters League, in reporting on aldermen in February, 1916, declared: "The executive departments of the city government have for years abused the emergency section of the excellent and carefully drawn civil service statute. In practice, the chief use of appointing 'sixty day' men has been to reward political henchmen with jobs, at the expense of good public service and to the discouragement of efficient civil service employés."[5] The Chicago Civil Service Reform Association, in a report on the abuse of the power of temporary appointment, declared that over thirty thousand temporary permits had been granted by the city civil service commission during the first year of the Thompson administration.[6]

[4] In case the civil service commissioners failed to hold a promotional examination for the purpose of filling a vacancy in an office in the classified service they could be compelled by mandamus to do so. People *ex rel. v.* Errant *et al.*, *229 Illinois*, 56.

[5] *Chicago Tribune*, February 8, 1916.

[6] *Ibid.*, June 22, 1916. This was no new abuse; see for example, *ibid.*, December 24, 1898.

The provision of the act of 1895 regarding removals from the classified service was also an innovation. A member of such service might be suspended for a period of thirty days by his superior officer, but no member could be permanently removed except for cause upon written charges, and with the approval of the commission.[7] In investigating such charges, the commission was empowered to administer oaths, subpoena witnesses, and perform other acts of a quasi-judicial body.[8] Among other provisions of the act were those prohibiting members of the classified service from soliciting, receiving, or paying political assessments or engaging in partisan activities, and prohibiting the comptroller or other auditing officer of a city from approving the payment of compensation to any person holding a position in violation of the provisions of the law. The act also attempted to make any person convicted of violating the act ineligible to hold any public office or public employment for a period of five years, but this disqualification was subsequently held unconstitutional.[9]

There were about fourteen thousand positions in the classified service of Chicago at the time the law of 1895 went into effect upon adoption by the voters of that city. The law, however, did not apply, except potentially, to persons already in the service but only to vacancies subsequently happening. The result unfortunately was that there was a tendency to fill the ranks of the service with members of the party in power, before the rules of the commission should go into effect. The restrictions on removals operated, therefore, to protect persons in the service who had been appointed under the old spoils system. Experience in the working of the civil service law in Chicago has shown that where the mayor is of the

[7] The action of the Chicago commission in removing a police patrolman might be reviewed on *certiorari* by the circuit and superior courts of Cook county. Powell *et al. v.* Bullis. *221 Illinois,* 379.

[8] It has been held, however, that this provision does not vest judicial power in the commission. People *ex rel. v.* City of Chicago, *et al., 234 Illinois,* 416.

[9] People *ex rel. v.* Kipley *et al., 171 Illinois,* 44 (73-74). In other respects, however, the supreme court upheld the constitutionality of the act in the Kipley case.

spoilsman type, the civil service commission, composed of his appointees, may become a tool in his hand for the purpose of building up a political machine; and the result is that the intent and spirit of the civil service law may be practically nullified. On the whole, however, the operation of the act has generally been in the direction of the improvement of the service. The more marked immediate effects of the law were to relieve the mayor and the heads of departments from the pressure of applicants for office, thus leaving them free to attend to their more important public duties and to relieve city employees from the burden of political assessments.[10]

The municipal civil service law, in common with the other civil service laws in the state, has been subjected to various attacks, in the courts, in the legislature, and in the forum of public opinion. Some of these attacks have been justified by demonstrated defects in the working of the law, some have been inspired by purely political motives, and some by mixed motives. Among the latter may be mentioned the investigation by a senatorial committee in 1898 of the operation of the civil service law in the Chicago police department. This investigation was probably inspired largely for the purpose of finding plausible reasons for the enactment of the metropolitan police board bill, which Governor Tanner wished to have passed by the legislature at the special session of 1897–1898 and which provided for a state police board, appointed by the governor, to control the police department of Chicago. As a result of its investigation the committee reported that the law as administered by the city administration was a sham and a delusion and that a large number of persons had been appointed to the police force of Chicago, at the suggestion of the mayor and with the consent of the civil service commission, whose records showed that they were entirely unfit. The report of the committee was approved by the senate by an almost

[10] *Report of the Chicago Civil Service Commission*, 1896, p. 7. In the important case of People *ex rel. v.* Kipley *et al.*, *171 Illinois*, 44, the supreme court in 1897 upheld most of the provisions of the act as constitutional and cleared up some ambiguities which had arisen in the interpretation of some of its provisions.

strict party vote. Although colored by party animus it nevertheless disclosed conditions which undoubtedly needed improvement. One of the direct results of the investigation was that more than one hundred policemen, whom the committee found unfit, were suspended by the civil service commission.[11]

Subsequent to the passage of the act of 1895 relating to cities, the general assembly enacted an amendment to the Cook county commissioners act which applied the merit system to about eight hundred positions in the county service. This amendment was put into effect without the formality of submission to a popular referendum. Attempts still further to amend the Cook county act so as to extend it to more positions and to make it more effective were made at subsequent sessions of the general assembly, but with little success. The administration of the law fell into disrepute. In 1901 it was declared that the law was a farce and that successive civil service boards had violated almost every provision of the law and had made political appointments to county positions at the behest of machine bosses. In the same year, the members of the Cook county civil service commission were indicted by a grand jury, tried, convicted, and sentenced for malfeasance in office; and the sentence was sustained by the supreme court.[12] The particular charge against them was that they certified applicants for appointment without the formality of holding open competitive examinations as required by law.

In 1903, an optional act was passed providing for the introduction of the merit system for positions in the police and fire departments of the cities having a population of from seven to one hundred thousand. About eight cities of this class have adopted the provisions of the act by popular vote. In each city adopting the act, its provisions are administered by a board of fire and police commissioners appointed by the mayor with the consent of the city council. It was provided in the act that appeals might be taken from the orders of the

[11] *Chicago Tribune,* January 12, 13, 14, 15, February 10, 1898.

[12] *Hurd's Revised Statutes,* chapter 34, section 62; *Chicago Tribune,* February 3, 1901, April 18, 1902.

board to the circuit court of the county in which the city is located. This provision, however, was declared unconstitutional by the supreme court, as being a delegation of executive power to a judicial body.[13]

During the first few years of the twentieth century, there was a growing feeling in favor of the further extension of civil service reform. Until 1905 the state service was still largely under the spoils system. The evils of this system were especially noticeable in the state charitable and corrective institutions. At the fifth annual meeting of the Illinois State Conference of Charities held at Champaign in 1900, a resolution was passed that "this conference unanimously favors the elimination of partisan political influences from the administration of the State institutions of Illinois in order that the State may retain the services of faithful and efficient officers."[14] Conditions, however, continued bad, and when, in 1902, the secretaryship of the state board of charities was filled by an appointment made for obviously political reasons, two of the most prominent and best qualified members of the board handed in their resignations.[15] In the same year it was stated by a competent authority that "Illinois probably suffers more than any other state in the Union from partisan political control of public institutions. This evil is not chargeable to any one party nor to any one administration. It has gradually increased until it has become the fashion, not only to change the administration of state institutions when there is a change of parties, but even to change their administration with the advent of a new governor."[16]

The ideal in regard to the treatment of inmates of charitable institutions was gradually changing during the period from mere segregation to cure. Hence the work was

[13] *Hurd's Revised Statutes,* chapter 24, section 434a; City of Aurora *v.* Schoeberlein, *230 Illinois,* 496.

[14] *Chicago Tribune,* November 16, 1900.

[15] Blair, "Partisan Appointments to Institutions for the Care of the Insane," *Conference of Charities and Correction,* 1902, p. 333.

[16] Hart, "Reports from States: Illinois," *Conference of Charities and Correction,* 1902, p. 42.

of a delicate nature, requiring skill and scientific training. It was in such institutions, therefore, that political appointments were likely to do most damage. Although both political parties declared themselves in 1902 in favor of the reform of the state service, a bill drawn up by a commission appointed by Governor Yates to put this reform into effect failed of passage in the senate after having passed the house. Finally, however, in 1905, the efforts of the civil service reformers were at least partially successful. In the legislative session of that year two bills were reported from committee, one known as the "Comprehensive Bill" and the other as the "Half-loaf Bill." The latter measure finally became a law. The half-hearted way in which this law was passed is indicated by the failure of the legislature to make any appropriation for its enforcement, but Governor Deneen turned over $14,000 from his contingent fund for this purpose. In general, the law applied the principles and provisions of the optional city act of 1895 to the employees in the state charitable institutions. At the time of the passage of the act there were seventeen such institutions in the state and about two thousand employees to whom the act applied. Members of boards of trustees, superintendents of institutions, and one chief clerk and stenographer for each institution were exempted from the operation of the act. The system was to be administered by a commission of three members to be appointed by the governor with the consent of the senate. The act contained the usual "blanket clause," according to which existing employees passed under civil service without examination. The insertion of such clauses constitutes a temporary concession to the spoils system, but it has been found to be practically necessary in order to secure the passage of the act. The law of 1905 confined the privilege of taking the civil service examinations to citizens of the state, and this caused some difficulties in the administration of the law.[17] One result of the operation of the law was the almost entire elimina-

[17] *Laws of 1905*, p. 113; *Report of the State Civil Service Commission*, 1908, p. 11; *Report of the Attorney-General*, 1908, p. 658.

tion of the "hospital tramp" who had been in the habit of drifting from one institution to another. In 1907 the law was amended so as to give the state civil service commission power to investigate any removal in the classified service with the right to reinstate an employee wrongfully discharged. The probationary period of six months was abolished.

During the years immediately succeeding the act of 1905 there was a growing feeling in favor of extending the civil service system to the entire state service. This step was vigorously recommended by the state civil service commission in its annual reports. It should be mentioned that, in securing the passage of the various civil service laws and in maintaining a general vigilance with regard to civil service matters, much aid has been derived from the activities of voluntary, unofficial organizations, such as the Illinois and Chicago civil service reform leagues. Both in 1906 and 1910 the two principal political parties declared in favor of the extension of the act. In the latter year there was submitted to the voters under the public policy law the question: "Shall the next General Assembly extend the merit system by the enactment of a comprehensive and adequate state civil service law, thus promoting efficiency and economy?" This proposition was carried favorably by a majority of 290,000 in a total vote of approximately 530,000. As a result of this unmistakable expression of opinion on the part of the voters, the legislature in 1911 passed an amendment to the law of 1905 which extended the merit system to all appointive positions in the state service with certain exceptions. The law was not only extended so as to place under the jurisdiction of the commission about twenty-seven hundred additional employees, bringing the total up to about eighty per cent of the entire state service,[18] but also amended so as to provide that in original as well as in promotional appointments, only the highest name should be certified; a probationary period of three months was provided; and im-

[18] *Hurd's Revised Statutes,* chapter 24a, section 1-37; *Report of the State Civil Service Commission,* 1911, 1:7.

portant changes were made in the provisions concerning removals.

In its general form, the law of 1911, which, with a few amendments, still remains upon the statute book, resembles very closely the optional civil service law for cities enacted in 1895; in fact, most of its provisions are copied almost bodily from the earlier law, with the necessary changes to make them applicable to the state service. One of the important features of the law of 1911 is its rigidity so far as exemptions from competitive examination are concerned. A blanket clause brought into the classified service without original examination all existing employees at the time the act was passed, with the exception of persons in the exempted classes. All subsequent applicants for positions in the classified service are subject to competitive examination, and the state civil service commission, composed of three persons appointed for six-year terms by the governor with the consent of the senate, has no power to classify a position as exempt or noncompetitive or to permit the appointment of a designated person without examination. Even laborers may be selected competitively, though, in the case of laborers the law also allows a selection to be made by lot from among those candidates proved fit by examination. Examinations may be conducted by the commission or by persons appointed by it to act as examiners. The examinations are not necessarily written but may include tests of a practical character. They are open only to residents of the state, except that in examinations for technical positions, the residence requirement may be waived.

In certifying the names of eligibles the commission is required to give preference to Civil War veterans provided they have the requisite business capacity. By an amendment of 1915 the same preference is extended to veterans of the Spanish-American and other wars. In view of the provision of the constitution prohibiting the general assembly from passing laws granting special privileges, some doubt was produced as to the constitutionality of this provision by an opinion of the attorney-

general; but this doubt has now been dissipated by a decision of the supreme court.[19]

As a result of the rigidity of the law, the public service of Illinois was, at the time of its enactment, placed more completely under civil service rules than that of any other state. The list of the positions in the unclassified service, however, is rather large: they include all officers elected by the people or appointed by the governor subject to senate confirmation; all officers and employees of the general assembly; notaries public, clerks, and other officers of courts; persons in the military service of the state; the academic staff of the university and normal schools; assistants and special attorneys employed by the attorney-general; superintendents, wardens, and chaplains of the state charitable and correctional institutions; one private secretary in each of the elective offices, and in the offices of the presidents of the University of Illinois and the normal schools; and all clerks and watchmen in the offices of governor, lieutenant governor, and the elective heads of departments.[20] By an amendment to the civil service law enacted in 1917 the list of exempted positions was extended so as to include all law clerks and special investigators employed by the attorney-general and all policemen employed in the offices of the elective officers in the executive department.[21]

In providing for promotions, the commission is directed to note the duties of each office and to fix lines of promotion where practicable. Whenever a vacancy occurs in a superior grade, the commission is required to hold a competitive examination to fill the same, and incumbents of places next lower in rank are solely eligible for such promotional examination, unless the commission deems it for the interest of the service

[19] *Laws of 1915,* p. 322; Constitution, article IV, section 22; *Opinions of the Attorney-General,* 1913, p. 21-22; People *ex rel. v.* Brady *et al., 262 Illinois,* 578.

[20] The act also placed in the unclassified service one private secretary or stenographer in the offices of the dean of men and dean of women at the University of Illinois, and provided that students in the university and normal schools might be employed under the rules of the commission without examination or certification.

[21] *Laws of 1917,* p. 290.

to throw the examination open to the general public. Competition in promotion is not limited to the same department or institution, but persons of similar grade in all departments may compete for promotion. The statute makes no specific provision for transfers within the same grade, but the commission has at times suggested the transfer of employees from one department to another; and, in other cases, it has brought about coöperation in certain lines of work between departments.[22]

The provisions of the law relating to removals are distinctive. Prior to 1917, no person in the classified service, except laborers and employees having custody of public funds for the safe keeping of which another is responsible, was to be removed except for cause, upon written charges and with an opportunity to be heard in his defense. All charges were to be investigated by the civil service commission or its authorized representatives, and the decision of the commission must be enforced by the superior or appointing officer. In the holding of hearings for the investigation of charges, each member of the commission and any officer appointed by it to investigate has power to administer oaths and to secure by subpoena the attendance and testimony of witnesses and the production of books and papers. "When the commission has proceeded according to law and has jurisdiction, its decision is not reviewable."[23]

Suspensions may be made for a period of thirty days, but even in the matter of suspensions, the commission may make an investigation and restore the pay of an employee wrongfully discharged. The commission has provided for a local representative or investigating officer to hear charges in each place where a public institution is located. The provision that all appointments — both original and promotional — are to be made by selecting the highest name on the eligible list deprives the superior officer of all discretion in making an appointment. Furthermore, as a result of the former restrictions

[22] *Report of the State Civil Service Commission*, 1912-1913, p. 9.
[23] *Opinions of the Attorney-General*, 1913, p. 457.

upon removals, the discretion of the superior officer to discharge a subordinate was practically eliminated; and while this might lessen the possibility that the principles of the merit system would be evaded, it at the same time affected adversely the disciplinary power of the superior officer over the subordinates upon whom he was dependent for the performance of the duties of the office. Doubtless, under present conditions, some restriction upon the free power of removal is desirable; but even from the standpoint of the principles of the merit system, such restrictions may be pushed too far. The principle upon which civil service laws are based is essentially that of promoting the general welfare as contradistinguished from the protection of individual rights. Where restrictions upon removal are so rigid as to prevent the discharge of lax or indifferent employees, such restrictions really operate for the protection of the individual incumbent of the position rather than for the public interests. In order to remedy this difficulty, it has been suggested that it would be sufficient to require that removals be reported to the civil service commission and authorize that body to investigate any cases which it deems necessary, with power to reinstate after investigation, where conditions warrant such action.[24]

Since the making of the above suggestion as to the revision of the removal provision in the civil service law, the essence of the reform thus recommended has been put into effect by an amendment to the law enacted by the general assembly in 1917. According to this amendment, it is provided that no hearing is necessary for removing an employee in the classified service or for reducing him in rank or pay, but such employee may be removed or reduced by the appointing officer for any cause other than political, racial, or religious; and the removal or reduction becomes effective immediately upon the filing of a statement of the cause in the office of the civil service commission. The employee thus removed or reduced, however, has the right of appealing to the commission, which may

[24] *Report of the Efficiency and Economy Committee*, 935-936.

reinstate him in his former position and direct the payment of all back salary due him, if, after holding a hearing, the commission finds that the removal or reduction was made for political, racial, or religious causes.[25]

In its provisions requiring the keeping of efficiency records, the Illinois law contained, at the time of its enactment, an entirely new feature in state civil service reform. The responsibility of the state civil service commission does not end with the certification of a suitable employee to the proper appointing authority, but it may also follow the employee into the service and verify or withdraw his certification on the basis of his record in office. The commission prescribes standards of efficiency for each grade of employment, and keeps a record of the relative efficiency of each employee in the classified service. Moreover, the activities of the commission are not confined merely to the classified service, but the commission has been given the additional power to investigate the nature, tenure, and compensation of all places in the civil service of the state.

In order to secure the enforcement of the civil service act, it is provided that all payrolls for the payment of persons in the classified service shall be certified by the state treasurer and auditor. It is made unlawful for such officers to be concerned in any way with the payment of a person, unless such person is holding his position according to law. Any person who wilfully violates or refuses to obey any provision of the law or the rules made in pursuance thereof is declared to be guilty of a misdemeanor, and any public office that such a person may hold is declared vacant upon his conviction.

Shortly after the passage of the act of 1911, a controversy arose between the civil service commission and two state officers, the secretary of state and the state treasurer, as to the applicability of the law to certain employees in their offices. The attorney-general rendered an opinion holding the act unconstitutional on the ground that the journals of the general

[25] *Laws of 1917*, p. 290-291.

assembly did not show that amendments to the bill had been printed as required by the constitution. The matter was carried to the state supreme court, where certain clerks in the office of the secretary of state sought to compel the state auditor to issue them their salary warrants without the approval of the civil service commission, and where the constitutionality of the law was assailed on the ground that it violated the principle of separation of powers laid down in the constitution and that it also violated the provision of the constitution naming the officers of whom the executive department shall consist and the provision directing the executive officers to perform such duties as may be prescribed by law. The court, however, negatived all these contentions and upheld the constitutionality of the law.[26]

At the same session of 1911 at which the state wide civil service law was passed, the general assembly also passed an act broadening the Cook county civil service act so as to make it apply with certain exceptions to the entire county service. The same provisions were made applicable to any other county upon reaching a population of one hundred and fifty thousand or more.[27]

At the same time an act was passed putting under the merit system the employees of the parks of Chicago. Provision was also made at the same session to extend the Chicago civil service law to cover the employees in the municipal courts upon adoption by popular vote. There was also added to this provision a clause increasing the salaries of the municipal court judges. It was partly due to this clause and partly to the feeling that the judges could usually be expected not to make appointments for purely partisan reasons that the act was defeated at the popular referendum in November, 1911, by a vote of two to one.[28]

In 1913, the supreme court declared the county civil serv-

[26] *Opinions of the Attorney-General*, 1913, p. 117; People *ex rel. v.* McCullough, *254 Illinois*, 9; see also People *v.* Brady, *262 Illinois*, 578.
[27] *Hurd's Revised Statutes*, 1911, chapter 24a, sections 38-72.
[28] *Ibid.*, 73-106; *Good Government*, 28: 114.

ice act of 1911 unconstitutional on account of the failure of the journal of either house to show that the conference committee amendments to one of its sections had ever been printed.[29] The county commission, however, held that the previous county civil service law was not affected by the supreme court's decision. In 1914, all three of the leading political parties in the state pledged themselves in their platforms to comprehensive civil service legislation for Cook county. A vigorous effort to get such legislation through the session of 1915 was made but failed. The need for such legislation has long been felt. "For years," it has been said, "the county Civil Service Commission was a sorry joke, a byword and reproach . . . . it became a menace to merit and an engine of unscrupulous politics under a deceptive mask. The law was manipulated at the bidding of tyrannical bosses and cynical spoilsmen." The weakness of the county civil service system seems to have been due in part to the indifference of public opinion and in part to the power of political executives to appoint and remove the commissioners for partisan reasons. In order to take the commissioners out of politics, it has been suggested that they should be chosen by the same standard of fitness which they later apply to other applicants for public office. A bill suggested for enactment by the fiftieth general assembly provides that the commissioners can be removed only after fair trials by two circuit judges and the county judge.[30] The existence of three separate and distinct civil service commissioners in Cook county — county, city, and park — appears to be an unnecessary and cumbrous duplication of machinery; and it has been suggested that they might well be consolidated into one commission.[31]

As noted above, an attempt was made to place the civil service commissions in cities adopting the act of 1903 under some sort of superior control by providing that an appeal

[29] McAuliffe *v.* O'Connell, *258 Illinois*, 186.

[30] *Chicago Record-Herald*, February 27, 1913; *Chicago Herald*, November 21, 1916, January 6, 1917.

[31] *Report of the Efficiency and Economy Committee*, 937.

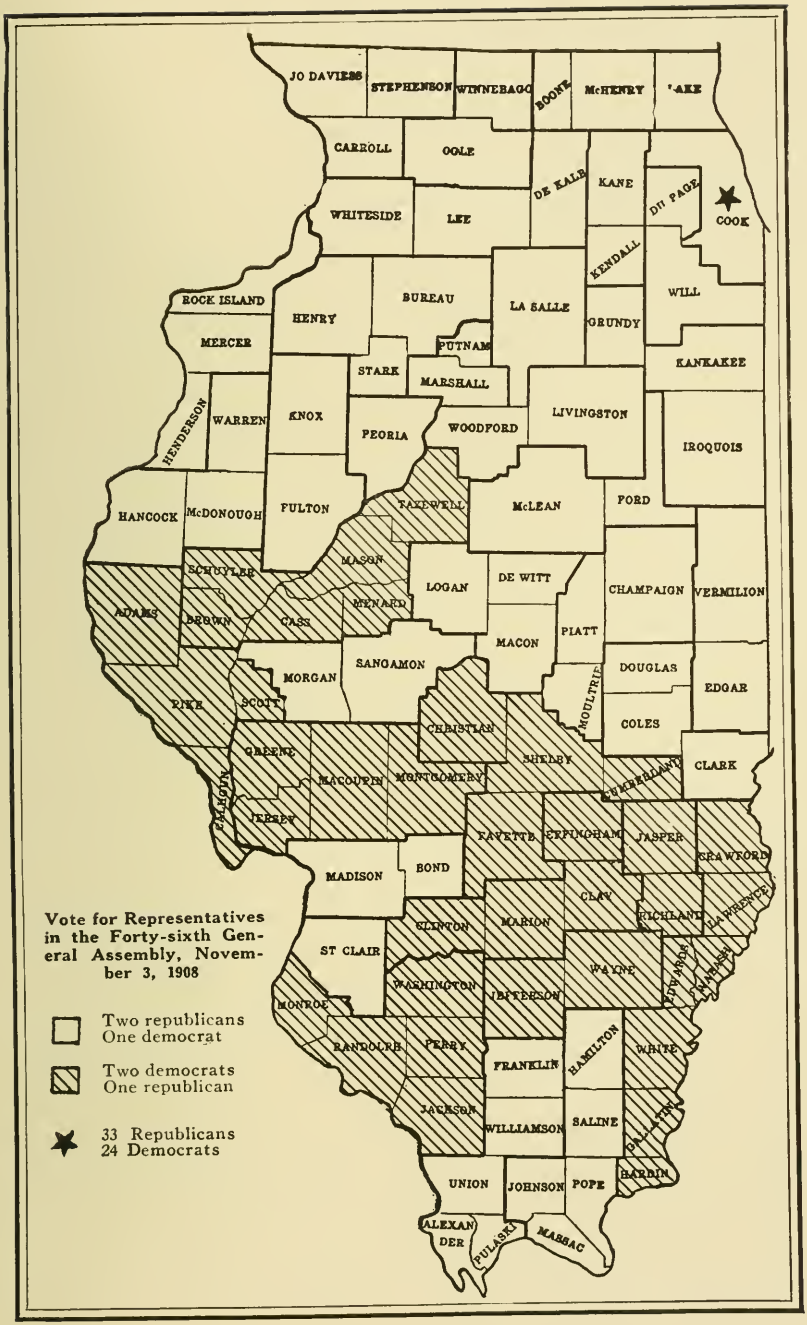
might be taken from the orders of the commission to the circuit court of the county in which the city is located, but this provision was declared unconstitutional by the supreme court of the state. The result of this decision is that the city commissioners are left without any superior state control. The same is true of city commissions operating under the act of 1895. In order to remedy this condition, the city commissions might be placed under the administrative supervision of the state civil service commission. There would seem, however, to be no good reason why the state commission might not be charged directly with the administration of the law in the city service of any city electing to come under the state commission. This would avoid some of the expense, cumbrousness, and duplication of machinery of the present system.[32]

Under the present civil service system for cities and counties, the commissions are appointed by the mayor and the president of the county board respectively, and the city commission is also removable by the mayor at his discretion. The result is that, as has already been noted, if the mayor or president of the county board is a politician of the spoilsman type, the civil service commission may be so subject to political influences that the object of the law is almost entirely defeated. Some improvement might be brought about by eliminating the requirement that not more than two of the three members of the commission shall belong to the same political party. The members of the board should be selected for fitness irrespective of party affiliations, and the responsibility for the selection and for the work of the commission should rest squarely on the party in power. In the last analysis, however, it is not so much the machinery as the men in charge and the spirit actuating them which determines the manner in which the merit system is administered.

[32] This is similar to the New Jersey plan. A bill permitting cities to adopt the law in force in Chicago, but containing the provision that the state commission should have the work of enforcing the law was introduced in the forty-fifth general assembly by Senator Logan Hay. See *Report of the State Civil Service Commission*, 1906-1907, p. 16; *Report of the Efficiency and Economy Committee*, 937.

XIV. THE STATE LEGISLATURE

THE legislature of Illinois, known officially as the general assembly, and composed of two branches, the senate and the house of representatives, is, in spite of the restrictions under which it operates, the most important and powerful organ of the state government. The senate is composed of fifty-one members, while the house of representatives is exactly three times as large. This fact points to the greater dignity and importance of the position of senator as compared with that of representative. This inference is further borne out by the difference in the length of terms, senators serving four-year terms and representatives, two years. Since only one regular session is held in each biennium, a representative, elected for the first time, has but little opportunity of learning the business and methods of legislation before it is necessary for him to start his campaign for reëlection, if he wishes to continue in the position, while on the other hand, a senator has a greater opportunity of acquiring experience in legislative methods and procedure. In each regular session of the general assembly, at least half of the senators are "hold-over" members, having served in the preceding regular session, while, on the other hand, it is at least possible that every member of the lower house may never before have served in the general assembly. This, however, is never actually the case as a certain number of members of the lower house are in practice always reëlected. Nevertheless, the necessity of biennial elections in the case of house members may mean that they are more in harmony with the latest trend of public opinion than are the hold-over senators. Another difference between the members of the two houses is the requirement for eligibility that a senator must be at least twenty-five years of age, while a representative need


JO DAVIESS
STEPHENSON
WINNEBAGO
BOONE
McHENRY
LAKE
CARROLL
OGLE
DE KALB
KANE
DU PAGE
COOK
WHITESIDE
LEE
KENDALL
WILL
ROCK ISLAND
HENRY
BUREAU
LA SALLE
GRUNDY
MERCER
PUTNAM
KANKAKEE
STARK
MARSHALL
HENDERSON
WARREN
KNOX
PEORIA
WOODFORD
LIVINGSTON
IROQUOIS
HANCOCK
McDONOUGH
FULTON
FAIRFIELD
McLEAN
FORD
SCHUYLER
MASON
LOGAN
DE WITT
CHAMPAIGN
VERMILION
ADAMS
BROWN
CASS
MENARD
MACON
PIATT
MORGAN
SANGAMON
DOUGLAS
EDGAR
PIKE
SCOTT
MOULTRIE
CHRISTIAN
COLES
GREENE
SHELBY
CUMBERLAND
CLARK
CALHOUN
MACOUPIN
MONTGOMERY
JERSEY
FAYETTE
EFFINGHAM
JASPER
CRAWFORD
MADISON
BOND
CLAY
RICHLAND
LAWRENCE
CLINTON
MARION
ST CLAIR
WAYNE
EDWARDS
WABASH
WASHINGTON
JEFFERSON
MONROE
RANDOLPH
PERRY
FRANKLIN
HAMILTON
WHITE
JACKSON
WILLIAMSON
SALINE
GALLATIN
UNION
JOHNSON
POPE
HARDIN
ALEXANDER
PULASKI
MASSAC
Vote for Representatives in the Forty-sixth General Assembly, November 3, 1908
Two republicans
One democrat
Two democrats
One republican
33 Republicans
24 Democrats

have attained the age of only twenty-one years. This difference, however, is in practice of comparatively slight importance, so that for practical purposes, the principal differences between the senate and house of representatives are the longer term and smaller size of the former. If, on account of these differences the senate is, as a usual rule, perceptibly superior to the house in legislative ability and experience, the question might be raised, why not elevate the character of the house by reducing its size and lengthening the term of its members? But if the two houses are made identical in these respects, there would appear to be little reason why one house might not be abolished. Another difference between the houses, however, as will be noted later, is the system of cumulative voting used in electing the lower house, which does not apply to the senate. Other requirements for eligibility, applying to members of both branches, are that they must be citizens of the United States, residents of the state for five years, and, for two years next preceding election, residents of the districts from which they are respectively elected. Disqualifications for holding a seat in the general assembly consist in holding any lucrative office under this state, the United States, or any foreign government, or being convicted of bribery, perjury, or other infamous crime, or failure on the part of a collector or holder of public moneys to make proper accounting therefor. Members of the general assembly, before entering upon their official duties, are required to take an oath, administered by a supreme or circuit court judge, to support the constitution and faithfully discharge their duties, and stating that they have not engaged in bribery in securing their seats nor will accept any bribe to influence their votes.[1] Members of the general assembly may vacate their seats by filing their resignations with the governor.

Illinois has thus embodied in her fundamental law two widely practiced principles of American politics, that of local residence for legislative representatives and that of the separa-

[1] Constitution, article IV, sections 3, 4, 5, 15.

tion of governmental powers. So well grounded in unwritten law and custom is the practice of requiring local residence for legislative representatives that it would probably prevail very largely even in the absence of any constitutional requirement, but the presence in the general assembly of at least some members who represent the state at large and the general interest rather than local and special interests might be secured by amending the constitution so as to make no absolute requirement of local residence for all members of the general assembly.

The provision that no member of the general assembly shall, at the same time, hold any lucrative office under the state is merely an application of the general principle of separation of governmental powers stated in the constitution as follows: "The powers of the government of this state are divided into three distinct departments — the legislative, executive and judicial; and no person, or collection of persons, being one of these departments, shall exercise any power properly belonging to either of the others, except as hereinafter expressly directed or permitted."[2] This prohibition upon the holding of both legislative and executive position at the same time was doubtless actuated by a fear of tyranny resulting from too much concentration of power and from a fear that the governor might exercise undue influence over the members of the general assembly by appointing or refusing to appoint them to public office. It prevents, however, the introduction in the state government of the parliamentary form of government found in certain foreign countries, in which the executive and legislative authorities are merged. In order to remove this limitation upon freedom of action in adopting whatever form of government may be best suited to the needs of the people, it has been proposed that the constitution be amended so as to allow the governor to appoint the heads of executive departments from among the members of the general assembly.[3]

[2] Constitution, article III; see also *Report and Opinions of the Attorney-General*, 1913, p. 363-364; 1915, p. 14.

[3] By Senator Logan Hay and others.

For the purpose of electing members of the general assembly, the state is divided into fifty-one senatorial districts, from each of which one senator and three representatives are elected. One-half of the senators and all of the representatives are elected in November of the even years. Senators are elected in the odd and even numbered districts alternately, beginning with the even numbered districts in 1872. The constitution requires that the senatorial districts shall be formed of compact and contiguous territory, bounded by county lines, and contain as nearly as practicable an equal number of inhabitants. The constitution further provides that the general assembly shall apportion the state every ten years by dividing the population of the state, as ascertained by the federal census, by the number fifty-one, and the quotient is the ratio of representation in the senate. If a county contains not less than the ratio and three-fourths, it may be divided into separate districts, and shall be entitled to two senators, and "to one additional senator for each number of inhabitants equal to the ratio contained by such counties in excess of twice the number of said ratio."[4] Cook county is the only county in the state which has a population sufficient to entitle it to be divided into senatorial districts. Under the last apportionment act passed in 1901 it has nineteen senatorial districts or more than a third of the whole number. Under this apportionment Peoria, La Salle, and St. Clair counties each constitutes a separate senatorial district, but all the other senatorial districts, except those in Cook county, are composed of two or more counties. Within the districts representatives are elected at large, and it frequently happens that not only the senator but all three representatives hail from the most populous county in the district.

Although the constitution provides that the districts shall contain as nearly as practicable an equal number of inhabitants, in practice they are sometimes very unequal in that respect. Thus, under the apportionment act of 1901, the

[4] Constitution, article IV, section 6.

twelfth district, in the northwest end of the state, contained only 78,429 population according to the census of 1900, while the fiftieth district, in the southern end of the state, contained a population of 104,019. The ratio of representation, according to the population of the state at that census, was 94,540, so that the twelfth district lacked 16,000 of equalling the ratio, while the fiftieth district exceeded it by 10,000, making a total disparity between these districts of 26,000. According to the census of 1910, the twelfth district contained a population of 77,513, while the fiftieth district contained a population of 131,288, so that the disparity had increased to nearly 54,000, or more than half the ratio of representation. According to the last federal census, twenty-six districts have a population of 2,497,226, while the remaining twenty-five districts have a population of 3,141,360. "The result is that 44.3 per cent of the population controls a majority of the legislature."[5] In spite of these inequalities and in spite of the constitutional mandate for a decennial apportionment, no apportionment has now been made for sixteen years.

The supreme court of Illinois has been rather lenient in construing the power of the general assembly in making the apportionment. In the apportionment act of 1893, Lee, De Kalb, Kendall, and Grundy counties formed the twenty-ninth senatorial district, while Will, a neighboring county, alone formed the twenty-fifth district. Had Grundy and Will counties been joined together as one district, and the other three counties left together as the twenty-ninth district, both greater equality in population and compactness of territory would have been secured. The constitutionality of the act was therefore attacked in the supreme court, but the court upheld the act as constitutional. The reasoning of the court was that "an act apportioning senatorial districts is unconstitutional if it appears that the constitutional requirements of compactness of territory and equality in population have been *wholly* ignored . . . . but if considered and applied, although to

[5] Garner, *Legislative Organization and Representation*, 60.

a limited extent only . . . . the act is constitutional, although the legislature may have imperfectly performed its duty." "The question whether the constitutional requirements . . . . have been applied at all, is one which the courts may finally determine; but whether or not the nearest practicable approximation to perfect compactness and equality has been attained is a question for the legislative discretion."[6]

The apportionment act of 1901, though containing the inequalities already noted, was also upheld as constitutional by the supreme court. Less than ten years had elapsed since the previous apportionment act, but the court held that the requirement of a decennial apportionment means that the legislature may make one apportionment, but only one, within each period of ten years intervening between the taking of the federal census. The court also made a distinction between the absolute constitutional requirements and those which permit of legislative discretion. The former are that the districts shall be bounded by county lines — except where a county contains sufficient number of inhabitants to make more than one district — that they shall be composed of contiguous territory, and that no district shall contain less than four-fifths of the senatorial ratio. The latter are the requirements regarding compactness of territory and equality of population. "If," said the court, "the absolute requirements . . . . have been observed . . . . and there is an approach toward equality in population as determined by the ratio, and the districts are in some degree compact, the court cannot hold the act invalid upon the ground that a nearer approach toward equality of population and compactness of territory could have been made."[7] Within the wide limits of discretion thus allowed the general assembly, it is possible for that body to gerrymander the state very effectively in the interests of the political party which is, for the time being, in control of the lawmaking power.

[6] People *ex rel. v.* Thompson, *155 Illinois,* 451 (452).
[7] People *ex rel. v.* Carlock, *198 Illinois,* 150 (151).

The general assembly also divides the state into districts for the election of members to congress. Under the last apportionment act, passed in 1901, the state is divided into twenty-five districts, from each of which one member of congress is elected. Under the census of 1910, the state became entitled to two additional congressmen. Since no new congressional apportionment has been made, these two congressmen are now elected at large over the entire state.

In electing members of the general assembly, one senator is elected from each of the fifty-one senatorial districts, and each voter has one vote in voting for a senator; but three representatives are elected from each senatorial district and each voter has three votes which he may "plump" for one candidate or distribute among the candidates for representative in such manner as he sees fit. This is known as the system of minority representation or cumulative voting provided for in the constitution of 1870 and is unique among the methods of electing legislative representatives found in the various states. At the time when that constitution was adopted the sectional feeling between the northern and southern parts of the state was so strong that almost solid republican delegations were sent to the legislature from the northern part of the state, while almost solid democratic delegations were sent from the southern part of the state, with the result that many democrats in the northern part and many republicans in the southern part were without representation. The system of minority representation was designed to remedy this condition, and it has been successful in attaining this object.[8] Thus, a study of the matter made in 1908 showed that in only three instances since 1870 had the principal minority party failed to secure at least one representative in each district, and third parties also had usually been able to secure some representation.[9] The representation secured by minority parties has not, of course, been ex-

[8] See map facing p. 288.

[9] Moore, *History of Cumulative Voting and Minority Representation in Illinois*, 93 ff.

actly proportional to their strength, but more nearly so than would have been possible without the system of minority representation.

The sectional issue which brought forth the sytem of minority representation is no longer so acute as formerly, and the system must now be judged by certain other more or less unforeseen results which have arisen from it. One result has been the limitation of the number of candidates brought forward by the two leading political parties. Prior to the enactment of the direct primary law, the party leaders in caucus or convention controlled nominations and determined the number of candidates to be nominated. In most districts, the majority party nominated two candidates and the principal minority party nominated only one, while in districts which were nearly evenly divided between the two leading parties, it was a frequent practice to alternate, one party nominating two candidates at one biennial election and the other at the next. This "resulted in members of the legislature being appointed by the extra-legal government. The electorate has been wholly and palpably disfranchised. . . . . Thus the voter is given no choice whatever and the nominations are an appointment. . . . . Thus the electorate in very many Illinois districts has had comparatively little or no real representation in the lower house for years."[10] At the elections of 1902–1908 inclusive, the number of districts in which only three candidates were nominated by the two leading parties averaged thirty-six, while the number of districts in which more than three were nominated averaged fifteen. The influence of the party machine in controlling nominations and elections to the lower house, therefore, is very great.

It was expected by some that, with the enactment of the direct primary election law, the influence of the party machine would be weakened. The act, however, provides that "the Senatorial committee of each political party shall meet and by resolution, fix and determine the number of candidates to be

[10] Kales, *Unpopular Government in the United States*, 166-167, note.

nominated by their party at the primary for Representative in the General Assembly."[11] The law has thus left with the party committee the power of limiting the number of candidates. As a matter of fact, some limitation upon the number of candidates is essential to the working of the system, since, if each party nominated three bona fide candidates, the result would be that normally the majority party in each district would elect all three of its candidates. Since the enactment of the primary law, in the elections of 1912 and 1914 the number of districts in which only three candidates were nominated has shown a reduction from about thirty to about twenty. But in 1916, the two major political parties nominated only 181 men to be elected to 153 seats. This, however, has been due not so much to the primary law, which has disturbed machine rule very little, as to the growing civic consciousness and the meteoric career of a strong third party.

It cannot be said that the system of minority representation has increased the character and ability of the men elected to the house. It has been observed as a serious objection to the system that the "assembly chosen under it is apt to be a heterogeneous body in which no political party has a working majority, as has not infrequently happened and that the house is apt to be controlled by a different political party from that which is in control of the executive department, so that, in consequence of the lack of harmony between the executive and the legislature and the lack of a working majority by any party in the house, the legislative programs of the administration are frequently unrealized."[12] On the whole, therefore, it would seem that the system of minority representation or cumulative voting should be abolished.

The regular biennial sessions of the general assembly begin on Wednesday after the first Monday in January of the odd years, following the November election. Special sessions may

[11] *Hurd's Revised Statutes,* chapter 46, section 542.
[12] Garner, *Legislative Organization and Representation,* 69-70.

be called by the governor whenever, in his judgment, required.[13] Although, in general, each house chooses its own officers, an exception to this is the fact that the lieutenant governor, chosen by the people, is the president of the senate. The lieutenant governor chosen at the November election, however, cannot be officially declared elected until the general assembly meeting in the following January has been organized, for the two houses must meet in joint session to canvass the vote for state executive offices and declare the result of the election.[14] Consequently, the lieutenant governor under the preceding administration, whose term extends until his successor is elected and qualified presides over the senate until the new state officers have been duly declared elected and installed in office. Similarly, the secretary of state in the preceding administration presides over the house of representatives until a temporary presiding officer thereof shall have been chosen. The presiding officer or speaker of the house is ordinarily chosen at a caucus of the members of the majority party, but this unofficial action must, of course, be confirmed by a vote of a majority of all elected members after the organization of the house. Permanent organization of the general assembly in 1913 was delayed three weeks and in 1915 seven weeks on account of a deadlock over the election of a speaker. There appears to be no positive provision of law requiring the selection of the speaker from among the members elected to the house; but, in practice, he is always a member.[15]

Under the constitution, each house is the judge of the election, returns, and qualifications of its members and may therefore severally hear and determine contests of election to seats

[13] The holding of special sessions considerably increases the public expense, as, under the constitution, each member receives fifty dollars for incidental expenses for each session, and there is, in addition, the expense of the usually swollen pay roll of employees. In 1912 there were two simultaneous special sessions.

[14] The general assembly by joint ballot also determines the contested elections for such offices. Constitution, article v, section 4.

[15] *Ibid.*, article iv, section 9; *Opinions of the Attorney-General*, 1915, p. 144-145, 455-456.

in their respective bodies.[16] The temporary presiding officers in the two houses during the process of organizing must, since no committees on credentials are yet chosen, determine temporarily who is entitled to be sworn in and seated as members of their respective houses.[17] After organization, however, committees on credentials are constituted for the purpose of hearing contests for seats. Formerly all expenses connected with such contests, such as attorneys' fees, et cetera, were borne by the state, and at nearly every session amounted to thousands of dollars. Recently, however, a change has been made whereby the state bears the expenses only of those contestants who are successful, with the result that the number of contests brought has been greatly reduced.[18] At the close of the fiftieth general assembly, Governor Lowden by the use of his veto cut nearly ten thousand dollars from the appropriations for election contests. His action had the effect of cutting off all allowances for attorneys and expenses of contestants and permitting payment by the state only of expenses of members of subcommittees.

With the exception of the lieutenant governor in the senate, all officers and employees of the general assembly are chosen by the respective houses or their presiding officers. These include secretaries, clerks, chaplains, sergeants-at-arms, doorkeepers, janitors, postmasters, mail carriers, policemen, stenographers, and pages. None of these employees are under civil service regulations and the appointments are often made as rewards for party services. There are undoubtedly, as a rule, many more legislative employees than are necessary for the work to be performed. Under an act of the legislature passed in 1911, the number of house officers and employees was fixed

[16] Constitution, article IV, section 9; *Hurd's Revised Statutes,* chapter 46, sections 78, 95. The state canvassing board, composed of state executive officers in the presence of the governor is empowered to canvass the votes for senators and representatives and declare the results of the election.

[17] *Opinions of the Attorney-General,* 1915, p. 457.

[18] Thus the appropriations for the contested election expenses at the forty-eighth general assembly amounted to $65,000, which by the governor's vetoes was reduced to $57,000, while in the forty-ninth general assembly the total amount appropriated for this purpose was only about $22,000.

at ninety-one and those of the senate at sixty; but the law is disregarded and the actual number has usually been in excess of that fixed in the law. This statute, however, is, of course, not binding upon the legislature. Each employee receives a per diem which continues throughout the session, irrespective of the fact that the general assembly is actually sitting on an average only three or four days a week. The number and cost of legislative employees reached the high water mark in the forty-third general assembly, which employed 393 persons, of whom 92 were janitors, at a cost of $110,000. At the following general assembly, there was a considerable reduction in number of employees and cost, but in recent years the figures have tended to rise again. In 1913 a total of 226 employees were hired at a cost of $97,000 and in 1915 the total number of legislative employees was 231 and the cost involved was about $104,000. Where no party has a clear majority in the general assembly, the number of legislative employees tends to be larger on account of the supposed necessity of placating the different factions by distributing among them the control over the appointment of employees.[19]

The constitution of Illinois leaves the amount of the compensation of the members of the general assembly to be determined by that body itself, subject to the limitation that no change shall be made in the compensation of members during the term for which they are elected, and that they shall receive no other allowance or emolument except fifty dollars per session for incidental expenses and except also mileage for necessary travel in going to and returning from the seat of government. Prior to 1915 the salary of members of the general assembly was two thousand dollars per biennium, and they were accustomed to make week-end trips to their home towns at the expense of the railroads, which granted them passes. The feeling grew, however, that the members could not accept

[19] It should be added that, in the house in 1915 and 1917 and in the senate in 1917, the number of unnecessary employees was greatly reduced. At the session of 1911 in Wisconsin, where the legislative employees are under civil service regulations, the numbers of employees was only 88 and the cost only $50,000.

passes from the railroads consistently with independence of action in performing their legislative duties. Nevertheless, bills which were introduced at various sessions, to prohibit the granting and acceptance of passes failed to be enacted into law. In the session of 1913, provisions for an increase of legislative salaries and the abolition of railroad passes were combined in one bill, but it failed of passage. In the same session, however, the public utilities bill was enacted, one section of which prohibited any public utility from granting any preference or advantage to any corporation or person as to rates or charges, or in any other respect. In this indirect way, railroad passes for legislators were abolished. In the session of 1915, a joint resolution was passed providing that each member should be allowed mileage for twenty-one round trips from the capital to his home at the rate of two cents a mile. The appropriation of $26,000 made under this resolution, however, was declared invalid by the supreme court in the Fergus case. At the same session, however, an act was passed providing that the compensation of members of the general assembly elected in 1916 and thereafter should be $3,500 per biennium, which is larger than the salary received by legislators in most states. Members of the general assembly ordinarily draw their entire biennial salary in a lump sum immediately after the organization of the legislature. Payment in quarterly installments might, perhaps, be a more satisfactory plan for several reasons. Heretofore it has been customary for members who are temporarily seated but whose elections are subsequently declared invalid to draw the entire pay for the session in spite of the fact that they had no good claim to it. This could be prevented in part by quarterly payments.[20]

Under the constitution, members of the general assembly are entitled to certain privileges which do not attach to ordinary citizens. They are privileged from arrest during the session of the general assembly and while going to and returning from the

[20] Constitution, article IV, section 21; *Laws of 1913*, p. 479; *Laws of 1915*, p. 464, 738; Fergus *et al. v.* Russel *et al.*, *270 Illinois*, 304.

same for all offenses except treason, felony, or breach of the peace. It is also provided that "for any speech or debate in either house, they shall not be questioned in any other place." In other words, they are not liable in damages for slanderous utterances made in the course of debate. The object of these provisions is to allow to the members the largest freedom and independence in the performance of their duties consistent with the maintenance of the public welfare. For the same reason, members of the general assembly rest under certain disabilities. They cannot receive a civil appointment during their terms, nor can they be interested in any contract with the state, nor with any county thereof, authorized by any law passed during their respective terms or within one year thereafter. A member may be expelled by either house by a two-thirds vote of all the members elected to that house; but if, after expulsion, a member is reëlected from his district, he cannot be again expelled for the same offense.[21]

The principal business of the general assembly is, of course, the passage of bills; and in order that this important function may be carried out in regular and orderly fashion, certain definite rules of procedure are laid down. These rules are found partly in the constitution and partly in the body of rules adopted by each house. The principal constitutional provisions are as follows: a majority of the members elected to each house shall constitute a quorum for the transaction of business. A specific form of enacting clause is provided for all bills, which may originate in either house, but may be amended or rejected by the other. On the final passage of all bills, the vote must be by yeas and nays upon each bill separately and must be entered upon the journal. In the senate at the request of two members and in the house at the request of five members, the yeas and nays shall be taken on any question and entered upon the journal. That is, the roll is called and each member is given the opportunity of answering to his name; and the results are published so that all may know how their representatives

[21] Constitution, article IV, sections 9, 14, 15.

stand on the various propositions brought to a vote. A member may, however, endeavor to avoid taking sides on the question by declining to vote or by absenting himself from roll call.

Other constitutional provisions relating to procedure are: that every bill shall be read at large on three different days, in each house; and the bill and all amendments thereto must be printed before the vote is taken on its final passage. No act shall embrace more than one subject, and that shall be expressed in the title. No law shall be revived or amended by reference to its title only, but the law revived or the section amended must be inserted at length in the new act. No bill can become a law without the concurrence of a majority of the members elected to each house. No act can take effect until the first day of July next after its passage except in the case of emergency measures passed by a two-thirds vote in each house, which may take effect immediately.[22]

Within the limits of the above constitutional provisions each house may adopt such further rules of procedure as it sees fit. The constitutional rules, of course, cannot be legally changed by the legislature, but each house may change the rules of its own adoption at pleasure. A new set of rules is adopted by each house at the beginning of each session, but they usually differ little from those of the preceding session.

As already indicated the presiding officers in the two houses are the speaker and the lieutenant governor. The speaker is technically elected by the house. In reality, he is frequently chosen by the caucus composed of the members of the house belonging to the majority party. Sometimes the real choice is pushed one step further back. A small group or coterie of leading members of the majority party may get together shortly after the November election and select the candidate of their party for speaker. This choice is then ratified by the caucus of the majority members held just before the opening of the next

[22] Constitution, section 13.

regular session and later ratified by the whole house. The speaker is always a party man, and this ordinarily insures a partisan organization of the house. If no party has a majority or if some members of the majority party refuse to act with their party caucus, on account of a split in the party over some question, such as the "wet" and "dry" issue, a deadlock over the selection of the speaker may occur. This has sometimes caused the postponement of the election of the speaker and of the permanent organization of the house for many weeks after the beginning of the session. Thus, at the beginning of the forty-ninth general assembly, the speakership fight lasted seven weeks and the republican candidate was finally elected through a combination of democrats and republicans. The similarly long-drawn-out contest in 1913 was doubtless due partly to the fact that two United States senators were to be elected and a number of contests were pending, so that the speaker, in appointing election committees, might determine the senatorial elections. A speaker chosen as the result of a bipartisan combination and who is not the choice of his party caucus is likely to be weaker than one who comes to office without obligation to minority members. This is due to the fact that the bipartisan combination is ordinarily held together by an understanding in regard to the distribution of committee chairmanships, so that the speaker does not have a free hand in this matter. The candidate for speaker nominated in the house caucus of the minority party ordinarily becomes the minority leader on the floor of the house.[23]

The selection of the speaker is an important matter on account of the large powers of that officer. He preserves order and decorum, directs and controls the officers and employees of the house, and decides all questions of order, subject to an appeal to the house, but his decisions are seldom overruled. He recognizes or refuses to recognize members who desire to speak; he refers bills to the proper committees, he

[23] The candidate for president pro tem. of the senate nominated in the senate caucus of the minority party becomes the minority leader on the floor of the senate.

appoints the committees, and is himself chairman of the committee on rules and *ex officio* member of each committee.[24]

The lieutenant governor in the upper house is by no means so powerful as the speaker. He presides, decides questions of order, subject to an appeal to the senate, and assigns to the various senate employees their respective duties. He has no vote, however, except when the senate is equally divided, nor does he appoint the senate committees. Technically the senate committees are appointed by the senate; in reality, they are appointed by the committee on committees, composed of majority leaders, and itself appointed by the chairman of the senate caucus of the majority party. The minority candidate for president pro tem. of the senate, who becomes the minority leader on the floor of the senate, usually controls the committee positions assigned to minority members, or occasionally a minority committee on committees may exercise this power. In either case, however, the minority assignments are subject to revision and ratification by the majority committee on committees. The senate chooses a president pro tem. from its members to take the place of the lieutenant governor when absent. He is nominated for the position by the senate caucus of the majority party. In the senate, the powers corresponding to those exercised by the speaker in the house in controlling the course of legislation are largely in the hands of the president pro tem., the floor leader of the majority party, and a small coterie of majority leaders, known as the "triumvirate" or the "big four."

The committee system is an important feature of legislative procedure. The Illinois legislature has usually had an extraordinarily large number of standing committees of extraordinarily large size as compared with other states. In the forty-eighth general assembly, the number of standing committees

[24] In appointing the minority members of the committees, he ordinarily confers with the leader of the minority party in the house. The democratic state platform of 1912 declared in favor of the selection of house committees by a committee on committees instead of by the speaker, but this plan was not carried into effect.

of the house was sixty-seven and of the senate, fifty-one. In the house, the appropriations and judiciary committees each contained forty-four members. Some members of the senate were on as many as thirty different committees. These conditions were unsatisfactory for the efficient performance of the duties before the committees. It was impossible for the legislators to attend the meetings of all the committees of which they were members, and it was often difficult to secure a quorum for committee meetings. The large size of the committees rendered them easily subject to the management of a few leaders and necessitated the performance of much of the real work by subcommittees. The unusual size to which Illinois legislative committees has grown appears to be due in large measure to the desire of each member to recognition by being placed on as many committees as possible. In the senate, the number of committees seems sometimes to be determined, not so much by the amount of work to be done, as by the number of members of the majority party who desire chairmanships.[25]

In the forty-ninth general assembly, the number of standing committees was considerably reduced. There were but thirty-three in the house and twenty-six in the senate. The result was better attendance on committee meetings and more careful consideration of bills.[26] This reduction was continued in the fiftieth general assembly. There is still room for improvement, however, in reducing the size of committees and the number of committees to which each member is assigned.

Ordinarily, the chairman and the majority of the members of each committee are members of the majority party in the house, but minority representation on committees is accorded in a certain proportion. Where no party has a clear majority in the whole house, as in the forty-eighth general assembly, a

[25] In 1915 when no party had a majority and therefore all factions had to be considered in appointing committees there were fifty-one committees, or exactly the same as the number of members. Each member was assigned one committee chairmanship.

[26] Legislative Voters League, *Assembly Bulletin*, July 20, 1916.

bipartisan combination may be effected, whereby the chairmanships may be parcelled out among the various parties; and one party may have the majority of the members of some committees and the other, of others. Where difficulties are met in reconciling differences between the two houses over pending legislation, conference or joint committees may be appointed to effect a compromise between the opposing views, and the report of the conference committee is usually adopted as a matter of course.

Bills may be introduced in either house by any member or by a standing committee. In the forty-ninth general assembly, nearly a thousand bills were introduced in the house and over five hundred in the senate. There is usually a qualified limitation, however, on the time when bills may be introduced. Thus, under the rules of the fiftieth general assembly, no bill could be introduced in the senate after May 22, 1917, except upon motion supported by a majority of the senators present, while in the house, no bill could be introduced at the expiration of three weeks after the adoption of the permanent rules, except upon each Tuesday and except by standing committees of the house. In practice, however, these qualified limitations may not very greatly reduce the number of bills which would be introduced after those dates. When bills are introduced, they are read by title, ordered printed, and referred by the presiding officer to their proper committees. The attitude of a committee, and especially of its chairman, toward the subject matter of a bill is very largely the determining factor in the fate of the bill. If the committee and its chairman, together with the speaker and the "organization" are in favor of a bill, it is ordinarily railroaded through on lubricated skids; whereas, if they are opposed to the bill, it will very likely never again be heard from after reference to a committee.[27] Thus, in the forty-ninth general assembly, the omnibus appropriation bill,

[27] A graphic account of the various ways in which the progress of a bill may be advanced or impeded is contained in a bulletin of the Legislative Voters League of Illinois, reprinted in Reinsch, *Readings on American State Government*, 74-79.

carrying more than fifteen million dollars and containing over fifty printed pages was introduced into the lower house on June first, read a second time on June second, and passed on the third. On the other hand, bills abolishing railroad passes or designed to improve social and industrial conditions for women workers have often met such insurmountable obstacles that all hope of passing them was abandoned.

In order to curtail somewhat the undue power of committees over the fate of bills, some restrictive provisions have been included in the rules of each house. Thus, under the house and senate rules of the fiftieth general assembly, a constitutional majority of the senators or representatives may recall a bill or resolution from a committee, discharge the committee from its further consideration and have it placed on the house calendar.[28] This rule tends to make the house its own master by enabling a constitutional majority to control the proceedings. Provision is also made in the rules of the lower house whereby in the case of measures of general state importance, the speaker may reserve the bill, with the consent of the house, to be considered in the committee of the whole house. If, however, the house fails to consent to such reference, the bill or resolution must be referred to its appropriate committee.

The chairman of a committee may, and sometimes has, attempted to block the consideration of a measure by failing to call a meeting of his committee; but, under the house rules, it is provided that, in such case, fifty per cent of the members of the committee shall have a right to call a meeting. Prior to the forty-eighth general assembly no record was kept of committee meetings. The constitution requires that each house shall keep a journal of its proceedings, which shall be published, but since the really important proceedings and decisions take place in committee rooms rather than on the floor of the house, it seems that some record of committee meetings should

[28] Except that in the house a bill cannot be recalled from the appropriations committee.

be preserved, in order that there may be some means of fixing responsibility for committee action. Consequently, in order to bring committee meetings under some degree of outside control, the rules of the house in the forty-eighth general assembly were amended so as to provide that the chairman of each committee shall keep a record of the time of committee meetings, the attendance of members, names of lobbyists appearing before the committee, and the vote of each member on all actions taken by the committee. It was also provided that every committee hearing should be open to the public and that the committee record on each bill should be made accessible to the members of the house and the public during the session, and should thereafter be filed in the office of the secretary of state. No provision, however, was made for holding anyone personally responsible for filing the records with the secretary of state, and this function seems to have been performed either carelessly or not at all.

Just as the movement to bring the deliberations of the house under control tends to shift the real procedure to committees, and just as the movement to control the process of nominating officers tends to push the real process one step further back than formerly, so the attempt to bring legislative committees under outside control may have the effect of causing the real power to be transferred to subcommittees or committees of committees. The large size of committees, as already noted, also tends in this direction.

As indicated above, bills must, under the constitution be read at large on three different days. On second reading it is subject to amendment, but not on third reading. As already noted, all amendments must be printed before the final passage, which requires a roll call of yeas and nays and an affirmative vote of a majority of all members elected.

Each house publishes a daily calendar for the use of members, containing all special orders of the day and all bills before the house in their proper order of reading, usually according to the order in which they were reported. Bills may be advanced

out of their order, however, by unanimous consent, or by a constitutional majority in the house, or by a majority of those present in the senate. Subject to the consent of a constitutional majority in the house and of a majority of those present in the senate, the house rules committee, of which the speaker is chairman, and the senate executive committee may report a special order for the day which shall take the place of the regular order. These committees, therefore, may become very powerful in deciding the course of legislation in their respective houses. There is also sometimes found a steering or sifting committee which exercises important powers in virtually determining the fate of bills, particularly toward the close of the session when the great rush of legislation occurs. Any party, faction, or group may have a steering committee, either self-constituted, chosen by its own members, or appointed by the speaker or by the chairman of the party caucus. The legislative caucuses and steering committees represent tendencies toward concentration of party control and responsibility. The fact that the chairmen of all committees usually belong to the majority party also tends in the same direction. Party responsibility in the general assembly, however, is not very strong, and comparatively few of the votes in that body are taken on strictly party lines. On important issues, however, party caucuses are held to determine party policy, but occasionally some members of the party refuse to attend or to be bound by the caucus. It sometimes happens that real control of the course of legislation is in the hands of a bipartisan combination, composed of the organization members of the two major parties.

Under the rules of each house, means exist whereby debate may be limited. In order to secure the floor, the member must be recognized by the presiding officer. Under the house rules of the fiftieth general assembly, no member may speak longer than thirty minutes at one time, no more than once on the same question, except by leave of the house; while, under the senate rules, no member may speak more than twice on the same question, nor longer than fifteen minutes at any one time, without

the consent of the senate. Moreover, in each house the previous question may be ordered, which has the effect of putting the main question to a vote and of bringing all debate to an end. Formerly, the legislative debates were not published, except in some newspapers, and even there very meagerly or not at all. Beginning with the forty-ninth general assembly, however, a daily stenographic record of debates has been taken and later printed in book form. Each house has a committee to edit the daily stenographic reports of debate. The principal advantage of publishing the debates seems to be in operating as a deterring influence upon members against indulging in unseemly or ill-considered remarks.

An attempt to confer upon the executive greater and more positive control over legislation, as well as to place upon him the responsibility of having a legislative program, was made in the forty-eighth general assembly, when a rule was adopted in the house providing that "when any bill or resolution is introduced for the purpose of carrying into effect any recommendation of the governor, it may by executive message addressed to the speaker of the house be made an administration measure," and "may be sent to the appropriate committee or . . . . to committee of the whole house," and, when reported out, "shall have precedence in the consideration of the house over all other measures except appropriations bills."[29] This rule, however, was little used and has not since been included in the rules of the house.

The rules of the legislature are hardly adapted to the most efficient transaction of business, and it is felt by many legislators that they might be improved in various respects. It has been suggested that some means should be adopted to prevent the great congestion of business during the last few days of the session, and that there should be such order and deliberation in the proceedings as to deprive members of any excuse for voting blindly and without sufficient consideration on impor-

[29] *House Journal*, 1913, 315; Hull, "Legislative Procedure," *American Political Science Review*, 7:239-241.

tant measures. At the expiration of a certain time, if a bill has not been acted upon by a committee, it should automatically come out and be placed on the calendar. The introduction of bills "by request" should be prohibited so that each member may take the responsibility for his own bills.[30] In a legislative body where there are many new members, it is almost inevitable that large powers over the course of legislation should gravitate into the hands of a small group of leaders. Some means should be adopted, however, whereby such large powers may rest in the hands of those who can be held effectually responsible for their proper exercise.

Even though the rules, however, were perfected so as to be entirely unobjectionable, it still remains true that there would be no assurance that the rules would be observed if it should be to the interest of the various factions and members generally to disregard them. The rules may at all times be suspended by unanimous consent, and this is the common way of conducting house business. It often happens that, even though a member may disapprove of the irregularity of the proceedings, he hesitates to raise an objection and thereby endanger his usefulness as a legislator by rendering himself obnoxious to the leaders and other members whose consent he must obtain in order to get his own measures through. When the irregularity of the proceedings becomes so flagrant, however, that a member or members raise objections, their objection may be ignored if the presiding officer and the "organization" are determined to brook no opposition, and the measure may be declared carried by "gavel rule." One of the most notorious attempts to gavel through a measure occurred in 1903, when the speaker ignored repeated cries for a roll call during the fight over the traction bill and was finally forced to leave his chair by the rush of indignant members. A resolution protesting against the conduct of the speaker was unanimously adopted at a meeting of ninety-seven house members and ordered spread upon the journal. The preamble of the resolution recited that "The

[30] Legislative Voters League, *Assembly Bulletin,* November 20, 1914.

Speaker of this House has by revolutionary and unconstitutional methods, denied a hearing in this House or a roll call constitutionally demanded upon measures of grave importance, and has attempted by the same methods to force the same beyond the point where they can be amended or calmly considered by this House upon their merits."[31] This public condemnation of the speaker's course has not, however, had the effect of eliminating gavel rule altogether. Such methods, when designed merely to prevent the dilatory tactics of the minority, are not objectionable, but when used to deprive either the majority or the minority of their constitutional rights, are highly censurable.[32]

Although the houses cannot be compelled by any outside authority to observe their own rules, the disregard of rules of legislative procedure laid down in the constitution rests upon a somewhat different basis. Where the journal does not show that all amendments to a bill have been printed before its final passage, as required by the constitution, and the question as to whether the bill was properly passed is raised in the courts, the validity of the act will not be sustained. A statute which bears the signatures of the presiding officers of both houses and of the governor will be presumed to have become a law pursuant to the requirements of the constitution; but this presumption will be overcome if the journal fails to show that the act was passed in the mode prescribed by the constitution.[33] It sometimes happens, however, that constitutional requirements are disregarded by unanimous consent, and the question of the validity of the passage of the bill is never raised in the courts. A constitutional requirement which is often waived by

[31] *House Journal,* 1903, 833.

[32] Another example of gavel rule recurred in 1913 when the speaker refused to grant a roll call when demanded by the number required by the constitution, and gavelled through a resolution providing for the appointment of a number of additional legislative employees.

[33] Neiberger *v.* McCullough, *253 Illinois,* 312; People *ex rel. v.* Bowman *247 Illinois,* 276; People *v.* McWeeney *et al., 259 Illinois,* 161; McAuliffe *v.* O'Connell, *258 Illinois,* 186; People *ex rel. v.* Brady, *262 Illinois,* 578; People *ex rel. v.* Knopf, *198 Illinois,* 340; Chicago Telephone Company *v.* Northwestern Telephone Company, *199 Illinois,* 324; Lynch *v.* Hutchinson, *219 Illinois,* 193; Illinois Central Railroad Company *v.* People, *143 Illinois,* 434.

unanimous consent is that which provides that "every bill shall be read at large on three different days." To comply literally with this requirement would consume so much time that little progress could be made. Few, if any, members of the legislature would be inclined to insist on literal compliance with this provision in the case of such a bill as the Gilbert court practice bill in the forty-seventh general assembly, which contained fifteen hundred printed pages and was calculated to require about sixty-five hours to read in full. Moreover, even though constitutional requirements are not actually complied with and the question of the validity of the act is raised in the courts, if the official journal does not disclose on its face any irregularity in the proceedings, the courts will ordinarily not go behind the face of the official record. Inasmuch as the proceedings are recorded by the clerk in accordance with the decisions of the presiding officer, it may result as has been said, that "what the Speaker declares the clerk must record, and what the clerk records no court will set aside."[34]

The powers of the legislature are much broader than those of either the executive or judicial branches of the government. In general, the legislature may pass any law and do any legislative act not prohibited by the constitution of the state or of the United States.[35] There are, however, numerous limitations on the legislature in the state constitution. The due process clause of the constitution has within recent years operated as a serious limitation on the legislature in attempting to bring under legal regulation many of the economic phenomena of the new industrial age. In particular there is a stringent prohibition placed on the legislature against the passage of local or special laws in any of twenty-three enumerated cases, and a general prohibition against the passage of such laws in all other cases in which a general law can be made applicable.[36] As to the enumerated subjects, the prohibition against special

[34] Reinsch, *Readings on American State Government*, 75.

[35] People *ex rel. v.* McCullough, *254 Illinois*, 9. At a special session, however, the powers of the legislature are limited by the call of the governor.

[36] Constitution, article IV, section 22.

legislation is absolute, but the provision that no special law shall be enacted where a general law can be made applicable is directory and not mandatory, and the action of the general assembly in such case is not subject to review by the courts.[37] Prior to 1904, the general assembly found itself impeded by the constitutional prohibition against special legislation in adapting laws to the different conditions found in Chicago as compared with the rest of the state. By a constitutional amendment adopted in that year, however, the legislature may pass special acts relating to the government of the city of Chicago, which, however, can go into effect only when ratified by the voters of that city.[38]

Under the constitution the general assembly is prohibited from appointing or electing any public officer, and since 1913 it has been debarred from choosing United States senators. This is fortunate, as the election of senators often greatly interfered with the regular work of the legislature, as in the case of the deadlock of 1913, which was ended by a bipartisan combination which sent a republican and a democrat to the senate. The senate, however, has the important power of confirming most of the governor's appointments to office. This power tends to divide the responsibility for the appointment between the governor and the senate and, if abolished, would enable the senate to apply itself solely to its strictly legislative functions. Any civil officer of the state may be removed from office through the process of impeachment, in which the accusation is made by a majority of the house of representatives and the case is tried by the senate. A two-thirds vote of all the senators elected is necessary for conviction, which operates to remove the officer from office and to disqualify him from holding any official position under the state government.[39]

Each house may punish by imprisonment any person, not a

[37] Wilson *v.* Board of Trustees *et al., 133 Illinois,* 443 (446); Knopf *v.* People *ex rel., 185 Illinois,* 20; Owners of Lands *v.* People *ex rel., 113 Illinois* 296 (315).

[38] Constitution, article IV, section 34.

[39] *Ibid.,* sections 10, 24.

member, who is guilty of disrespectful behavior to the house in its presence. Any person may be compelled by subpoena to appear and give testimony as a witness and produce papers and documents before either house, or a committee thereof, or a joint committee of both houses.[40]

Methods of legislation in the general assembly as effecting the character of the output seem to indicate the need for greater system and more concentrated responsibility. This is shown by the fact that not infrequently conflicting measures relating to the same subject are passed at the same session. Thus, in the forty-seventh general assembly, two acts were passed, the state civil service law and the state mining law, which contained provisions relative to the appointment of state mine inspectors which were in plain and irreconcilable conflict.[41] The quantity of legislation put out by the general assembly is more imposing than its quality. The fiftieth general assembly passed 407 bills, of which Governor Lowden signed 225, vetoed 69, and permitted 113 to become laws without his signature. The session laws of the fiftieth general assembly require for publication a volume of over eight hundred pages.

The scramble, haste, and confusion amid which bills are amended, reported, passed, sent to conference, and repassed, especially in the closing hours of a session, are responsible for the passage of much ill-considered legislation as well as for the killing or smothering of many meritorious bills. It is particularly in the field of financial legislation that more systematic methods and concentrated responsibility seem desirable. Total appropriations in recent years have mounted at a rapid rate. In 1905, the biennial appropriations were only about sixteen million dollars while ten years later they had increased to about forty-six million dollars and in 1917 they amounted to more than fifty million dollars. This rapid increase in the expense

[40] Constitution, article IV, section 9; *Hurd's Revised Statutes,* chapter 63, section 6; *Report and Opinions of the Attorney-General,* 1913, p. 351-353.

[41] *Report of the Attorney-General,* 1912, p. 1073. For additional instances of confusing and contradictory legislation see the annual address of President Hamline, *Proceedings of the Illinois State Bar Association,* 1897, part 2, p. 3-5.

of running the state government has naturally drawn attention to the unsystematic and haphazard method of financial legislation and caused a movement toward bringing about an improvement in this direction. Evidence of the lack of, and need for more systematic methods in financial legislation is found in the amount of deficiency appropriations passed in each general assembly, which increased from about $133,000 in the forty-seventh, to about $400,000 in the forty-ninth general assembly. Much money also is wasted in making appropriations to pay claims for private relief, which, in some cases, had been denied by the court of claims. The constitutionality of deficiency and private appropriations is somewhat questionable. In the forty-eighth general assembly there were ninety-four separate appropriation acts, and two years later there were eighty-eight, containing hundreds of detailed items. Most of these bills were reported from committee and passed near the close of the session when any adequate consideration of them was practically impossible. Under the constitution, appropriations for salaries of state officers must be in a separate bill, but all other appropriations might be combined in one or a few measures.[42] Greater uniformity in the classification of items would facilitate comparison between different institutions and different fiscal periods.

In making appropriations for state institutions and departments the legislature has heretofore derived the information upon which the appropriations were based largely from the estimates of needs made by the heads of the respective departments or institutions.[43] The total estimates, therefore, were the result of no state wide plan. It has been customary, it is true, for committees of legislators to be appointed to visit the various state institutions with the ostensible purpose of inquiring into their financial needs, but such visiting committees seldom succeed in eliciting information of any real value and, in

[42] Legislative Voters League, *Assembly Bulletin,* March 9, 1916; Constitution, article IV, section 16.

[43] These remarks, however, are not applicable to the charitable institutions since the creation of the board of administration in 1910.

some cases, seem to have degenerated into legislative junkets. The real work of investigating the financial needs of the institutions, so far as done at all, has usually been done by subcommittees of the appropriations committees. Even though the legislature did its full duty to the best of its ability, it is not as well suited as the head of the executive department to originate the state wide financial program.[44]

With a view of bringing about some improvement in the methods of financial legislation and of creating a permanent agency to assist the legislature in this respect, the joint legislative reference bureau was created in 1913. This consists of the governor and the chairman of the appropriations and judiciary committees of the two houses, with a salaried secretary.[45] One of the duties vested by the act in the bureau was to prepare for the use of the general assembly a detailed budget of appropriations for the several state departments for the succeeding biennium compiled from the statements of financial needs made by the several departments. This was a step in the right direction, but in several respects it fell short of what is needed. No provision was made for a statement of estimated revenues, and no authority was granted to the bureau to make any responsible recommendations in regard to the estimates. The consolidation act of 1917 did not abolish the legislative reference bureau, but it provided for the submission by the governor of a budget to the general assembly containing the recommendations made by him on his official authority as to appropriations for the various state departments and institutions. Although such a budget naturally carries more weight than one submitted without recommendation by the legislative reference bureau, the general assembly is, of course, not legally compelled to follow it or to give it any consideration.

Other functions conferred upon the legislative reference bureau were to supply information for the use of the general

[44] Legislative Voters League, *Assembly Bulletin,* November 17, 1915; *Proposed Legislative Measures to Carry into Effect the Recommendations of the Efficiency and Economy Committee,* 1915, p. 28.

[45] *Laws of 1913,* p. 391.

assembly and to assist any member thereof in the drafting of any bills or resolutions which he may desire to introduce. Such assistance, if rendered by competent draftsmen, should be of considerable value, especially to new members, unskilled in the technical legal requirements of bill-drafting.

The forces influencing legislation in Illinois, as in most other states, are of a mixed character, sometimes sinister, sometimes public-spirited. Professional lobbyists representing powerful special interests are often very numerous and active, but are probably less numerous and influential at present than a few years ago. The withdrawal from the legislature of the power of electing United States senators operates to remove one important source of possible corruption, such as was alleged to have occurred in 1909 in the election of William Lorimer. In order to prevent lobbying from being carried on upon the floor of the legislative body, each house has adopted rules restricting the access to the floor of any person, with the exception of certain privileged classes not acting as attorneys for persons or corporations interested in pending legislation. In 1915, Governor Dunne sent a special message to the general assembly denouncing the corrupt lobbyist and advocated the passage of a law or resolution requiring registration of lobbyists. Such a resolution was passed in the senate but was not enforced.

Although professional lobbyists usually exercise a pernicious influence on legislation, it is of course true that lobbying of a certain kind is perfectly legitimate. On important bills, the general assembly frequently holds public hearings and at such hearings it is entirely proper for any citizen to appear and present his views on pending legislation. Much legislation of the present day relates to technical matters, about which no member of the general assembly may be as well informed as certain persons on the outside. Representatives of the Citizens' Association of Chicago, the Chicago Civic Federation, the Chicago and Illinois state bar associations, the Illinois Commission on Uniform Laws, and various other voluntary

agencies active in proposing changes in the laws, have through bringing their influence to bear on the general assembly, been of great value in improving the character of the legislative output.[46] The Legislative Voters League has been of great service in exposing legislative methods to public view and in publishing the records of legislators for the information of voters.

It is doubtless true that, within recent decades, the confidence of the people in the general assembly has been at a low ebb, as indicated by the numerous limitations placed on the legislature in the present constitution. Many incidents and much legislation may also be cited which seem, at first sight, to justify this lack of confidence. Such instances, however, should not be allowed to blind the people of the state to the really good and substantial work which the legislature has accomplished in many lines in spite of the very considerable difficulties under which it operates. The release of the legislature from such difficulties and restrictions would probably enable it to do still better work.

[46] Cf. MacChesney, "A Legislative Programme for Law Reform," *Illinois Law Review*, 3: 512-521.

XV. THE STATE JUDICIARY

JUDICIAL power has been defined by the supreme court of Illinois as "that power which adjudicates upon and protects the rights and interests of individual citizens, and to that end construes and applies the laws."[1] Although power of a quasi-judicial nature may be exercised to some extent by the legislative, executive, or administrative organs of the state government, judicial powers, properly speaking, are vested in the main in such judicial tribunals as are provided for by the constitution or created by law in and for cities and incorporated towns.[2] Thus the power of the legislature in establishing courts is strictly limited. The state is provided by the constitution with a hierarchy of courts, comprising the supreme court, the appellate courts, and the circuit courts. In addition, there are numerous local courts, such as county courts, city courts, justices of the peace, and police magistrates, and certain special courts, such as probate courts and the court of claims.

At the apex of the system stands the supreme court, which is organized upon the collegial principle. There are seven judges, elected by popular suffrage for nine-year terms. In order to be legally eligible for the position, each judge must be at least thirty years of age, a citizen of the United States, a resident of the state for five years next preceding his election, and a resident of the district in which he is elected.[3] In practice, supreme court judges must, of course, be learned in the law and frequently stand among the leaders of their profession. Under the original constitution of 1818, the justices of the supreme court, as well as the judges of the inferior

[1] People *ex rel. v.* Chase, *165 Illinois,* 527; Witter *v.* County Commissioners of Cook County, *256 Illinois,* 616.

[2] Constitution, article VI, section 1.

[3] *Ibid.,* article VI, section 3.

courts, were appointed by joint ballot of both branches of the general assembly and held their offices during good behavior. Since 1848, however, they have been elected by popular vote for definite terms of office. For the purpose of electing the supreme court judges, the state is divided into seven districts, each containing several counties. The boundaries of the districts may be changed by the general assembly at the session next preceding the election of judges therein, provided such alterations are made upon the rule of equality of population, as nearly as county boundaries will allow, and provided that the districts shall be composed of contiguous counties, in as nearly compact form as circumstances will permit, and provided further that the alteration of the districts shall not affect the tenure of office of any judge. The counties composing the districts were originally laid down in the constitution; but, on account of the unequal growth of population in the various districts, some alterations in the boundaries were made in 1903 by the general assembly. The constitution apparently intends that the division of the state into supreme court districts shall be based upon the principle of approximately equal population. If so, the actual division has become archaic, since the seventh district, in which Chicago is located, contains nearly one-half the population of the state and an even larger percentage of the cases in the supreme court come from that district, yet the people of that district elect only one-seventh of the members of the court. It would seem that the division into districts should be made more equitable, or else the district system should be abandoned and the supreme court justices all elected on a general ticket.[4]

The election for judges of the supreme court are held in the separate districts and take place on the first Monday in June in such years as vacancies regularly occur. The judicial election was placed at a time different from that of executive officers and members of the general assembly in order to mini-

[4] *Ibid.*, article VI, section 5; *Hurd's Revised Statutes*, chapter 37, section 1a, 1b, which were held constitutional in People *ex rel. v.* Rose, *203 Illinois*, 46.

mize the influence of political considerations in the selection of the judges. Five of the supreme court judges are elected every ninth year, as in 1915, 1924, et cetera, while the other two judges are elected at intervals between these dates, so that ordinarily, there are always at least two judges with previous experience on the supreme court bench. Moreover, supreme court judges are not infrequently elected to succeed themselves upon the expiration of their terms. In case of a vacancy occurring through death, resignation, or incapacity, prior to the expiration of the term of any judge, a special election is held in the district to fill such vacancy, unless the unexpired portion of the term does not exceed one year, in which case the vacancy is filled by appointment by the governor.[5]

Prior to 1897, the supreme court was held in three grand divisions, denominated the southern, central, and northern; and sessions were held for these divisions in three separate places, Springfield, Ottawa, and Mt. Vernon. There were very decided disadvantages in this division of the court. The judges, not having adequate opportunities for consultation and discussion, sometimes handed down inadequately considered opinions.[6] The demand for the consolidation of the court grew more insistent, until, in 1897, the court was consolidated by act of the general assembly, and since then the sessions of the court have been held in Springfield, beginning on the first Tuesday in October, December, February, April, and June of each year. It is not necessary that all the seven judges shall hear every case argued; a majority of them, constituting a quorum, is competent to sit and to render decisions. The court is presided over by a chief justice, who is nominally selected by the justices from among themselves. Under the present rules of the court, no justice is eligible to serve as chief who has not served as a justice at least two years. Among those who are eligible, justices who have not served before as chief are preferred; and among the latter, seniority, as de-

[5] Constitution, article VI, section 32.
[6] *Chicago Tribune*, April 3, 1897.

termined by length of continuous service, shall control. If all the eligible justices have before served as chief, then that justice succeeds whose last term as chief is most remote in point of time.[7]

The clerk of the supreme court, strangely enough, is not chosen by the court but, since 1848, has been elected by popular vote, in accordance with the general tendency toward an unduly long ballot. It may be noticed, in passing, that it is a general rule in Illinois to elect clerks of courts of record by popular vote. This renders them subject neither to administrative control nor to judicial control. Neither are they subject to popular control in spite of popular election, because a clerk of court is too inconspicuous and too much of a ministerial officer to secure much attention from the voters.

The supreme court, however, appoints its own reporter who edits and publishes the opinions of the court, and its own marshal, who attends upon the sittings of the court and performs such other duties, under the order and direction of the court as are usually performed by sheriffs of courts. The court also promulgates its own rules of practice, subject to the provisions of the constitution and acts of the general assembly. The salaries of the supreme court justices are fixed by the general assembly at $10,000 per annum, but may not be increased or diminished during the terms for which such justices are elected. The supreme court justices are prohibited from receiving any other compensation, fee, or perquisite, and from performing any other than judicial duties to which may belong any emoluments.[8]

Next below the supreme court stand the appellate courts. In accordance with constitutional authorization, the general assembly in 1877 divided the state into four appellate court districts, of which Cook county comprised one district and the

[7] *Hurd's Revised Statutes,* chapter 37, sections 2, 3. On the movement for the consolidation of the supreme court, see J. H. Hamline in *Proceedings of the Illinois State Bar Association,* 1897, part 2, p. 31-35; 1898, part 2, p. 6; *Rules of Practice of the Supreme Court of Illinois,* number 38.

[8] *Hurd's Revised Statutes,* chapter 37, sections 11, 12; Constitution, article VI, sections 7, 16.

other three corresponded, in the main, to the three grand divisions of the supreme court, as they existed prior to 1897. No special appellate court judges are provided, but each appellate court is held by three circuit court judges assigned to duty in such appellate court for three-year terms by the supreme court. The three circuit court judges assigned to each appellate court choose one of their number to be the presiding justice of the appellate court in that district. The four appellate courts hold their sessions in Chicago, Ottawa, Springfield, and Mt. Vernon respectively. Provision is made in the law for the erection of branch appellate courts in any district in which the number of cases pending before the appellate court shall exceed two hundred and fifty. In pursuance of this authorization, two branch appellate courts have been erected in the Cook county district. In that district, superior court judges as well as circuit court judges are assigned to duty in the appellate court and its branches. In each of the other three districts, it is customary to assign no more than one circuit court judge from a given circuit to duty in the appellate court. The circuit court judges assigned to a given appellate court district, outside of the Cook county district, are not usually, or necessarily, drawn from a circuit composed of counties contained in such appellate court district. A circuit court judge, when sitting in the appellate court, is prohibited from passing upon any case previously decided by him in the circuit court. It is considered an honor for a circuit court judge to be selected to sit in the appellate court; but, for this service, he is not allowed to receive any additional compensation.[9]

As the amount of judicial business in the state increases, the importance of the appellate courts is correspondingly enhanced. The *certiorari* law of 1909 further enlarged the importance of these courts; and as the work of the supreme court becomes greater, there is an increasing tendency to give to the appellate courts more final jurisdiction, in order to relieve the

[9] *Hurd's Revised Statutes*, chapter 37, sections 35c, 35k; Constitution, article VI, section 11.

congestion in the supreme court. These considerations raise the question whether the appellate courts should be provided with judges of their own. To do this the constitution would have to be amended so as to provide for the selection of appellate court judges either by popular vote or by appointment by the supreme court from among members of the bar. Such a change would relieve circuit court judges from appellate court duty and would tend to develop greater expertness in appellate court work among the judges of the latter court.[10]

The court of general original jurisdiction in Illinois is the circuit court, which stands next below the appellate courts. By act of the general assembly, the state has been divided into eighteen judicial circuits, of which Cook county is one, and each of the others is composed of three or more counties. In making such division into circuits, the general assembly rests under the limitations that outside of Cook county "such circuits shall be formed of contiguous counties, in as nearly compact form and as nearly equal as circumstances will permit, having due regard to business, territory and population."[11] New circuits may be formed and the boundaries changed by the general assembly at its session next preceding the election for circuit judges, subject to the foregoing limitations, and to the condition that the tenure of office of no judge shall be thereby affected.[12]

In each of the seventeen circuits outside of Cook county three circuit court judges are elected by the people on a general ticket for six-year terms. The elections are held regularly on the first Monday in June of each sixth year, as in 1915, 1921, et cetera, but special elections may be held at other times to fill vacancies occurring more than a year before the expiration of the term. In order to be eligible to a circuit judgeship, the candidate must be at least twenty-five years old, a citizen of

[10] *Hurd's Revised Statutes*, chapter 110, sections 121, 122; see also Freitag *v.* Union Stock Yard and Transit Company, *262 Illinois*, 551 (552-553); Courter *v.* Simpson Construction Company, *264 Illinois*, 488; *Illinois Law Review*, 3:94.

[11] Constitution, article VI, sections 12, 13; Frackelton *v.* Masters, *249 Illinois*, 30; *Hurd's Revised Statutes*, chapter 37, section 73.

[12] *Ibid.*, article VI, section 13.

the United States, a resident of the state for five years next preceding his election, and of the district in which he is elected. The compensation of a circuit court judge is $5,000 per annum, which is fixed by the general assembly but cannot be increased or diminished during his term of office. Like the supreme court justices he is prohibited from receiving any other emolument. The circuit courts are empowered to make their own rules for the disposition of business before them, not inconsistent with law.[13]

Although there are three circuit court judges in each circuit, it is contemplated by the law that the circuit court shall be held by but one judge, so that three circuit courts may be held simultaneously in the several counties composing a circuit. Two or more regular terms of circuit court are held annually in each county of the circuit. The times for the beginning of such regular terms are specified in the law, but special terms may be held at the discretion of the judges. The distribution of the work among the judges of a circuit is arranged by the judges among themselves, but the supreme court may assign judges from circuits where the business is light to hold court in other circuits where the dockets are congested.[14]

In each county of the state there is a county court, with a single county judge, elected by popular vote for a four-year term. The county court has limited jurisdiction in civil and criminal cases, exercises certain administrative functions in connection with election and taxation matters and possesses jurisdiction in probate matters, except in counties having a population of more than 70,000 in which separate probate courts have been established, with probate judges elected for four-year terms. The county and probate judges are not elected at separate judicial elections, but on Tuesday after the first Monday in November of every fourth year, as in 1914, 1918, et cetera, when certain political officers are also chosen. A clerk of the probate court is elected at the same time and for the

[13] Constitution, article VI, sections 16, 17. The Cook county judges receive additional compensation from the county. *Hurd's Revised Statutes*, chapter 37, section 69.

[14] *Ibid.*, chapter 37, section 82 i.

same term as the probate judge. The county clerk acts as clerk of the county court.[15]

In addition to the above courts of record, provision is made for the establishment of city courts of record and for justices of the peace and police magistrates who do not hold courts of record. City courts, which may be established in any city containing at least 3,000 inhabitants when an ordinance to that effect is submitted by the city council and adopted by a two-thirds vote of the people, have concurrent jurisdiction with circuit courts in civil and criminal cases arising in the city and entertain appeals from the justices of the peace in such city. City courts have now been established in about twenty-five cities of the state. The judges of city courts must be regularly licensed attorneys and are elected in the same manner as the city officers are elected, but not at the same time. Justices of the peace and police magistrates, outside of Chicago, hear petty causes, involving lesser offenses or small amounts of money.[16] Justices of the peace and police magistrates are elected in townships and villages for four-year terms.

In Cook county and Chicago, on account of the greater amount of litigation and judicial business, the organization of the courts, except in the case of the county and probate courts, is more complicated than in other parts of the state. The work performed by the circuit court in other parts of the state is in Cook county divided between the circuit, superior, and criminal courts. There are twenty judges in each of the circuit and superior courts, who are elected by popular vote for six-year terms. Under the constitution, the number of judges in these courts may be increased by the general assembly from time to time in accordance with the growth of population in the county. In each of these courts the judge having the shortest unexpired term is the chief justice of the court. The circuit and superior courts of Cook county have concurrent jurisdiction in civil cases such as may be brought in the other circuit courts of the

[15] *Ibid.*, chapter 37, sections 216 ff.

[16] *Laws of 1917*, p. 328; Herman *v.* Commissioners of Highways of Pitman Township, *197 Illinois*, 94.

state. The criminal court of Cook county has jurisdiction in criminal and quasi-criminal cases, concurrently with the circuit court. It has no special judges of its own, but the judges of the circuit and superior courts are *ex officio* judges of the criminal court.[17]

By a constitutional amendment adopted in 1904, it was provided that "in case the General Assembly shall create municipal courts in the city of Chicago it may abolish the offices of justices of the peace, police magistrates and constables in and for the territory within said city . . . . and in such case the jurisdiction and practice of said municipal courts shall be such as the General Assembly shall prescribe."[18] In accordance with this constitutional authorization, the general assembly passed the municipal court act of 1905, whereby the offices of justices of the peace, police magistrate, and constable were abolished in Chicago; and in their place a court of record was established, known as the municipal court of Chicago. This court consists of one chief justice and thirty associate justices, each of whom presides over one of the branch courts into which the municipal court is divided. They are elected by popular vote for six-year terms. The chief justice has general superintendence of the business of the court and assigns the associate justices to duty in the several branch courts. The municipal court is provided with a clerk and a bailiff, both of whom are elected by popular vote for six-year terms. The elections for the judges, as well as for the clerk and bailiff, take place on the Tuesday after the first Monday in November. The judges of the municipal court hold frequent meetings for the consideration of matters connected with the administration of justice in that court.[19]

It was practically necessary to amend the constitution before the municipal court could be properly established. This

[17] Constitution, article VI, sections 23, 26; Berkowitz *v.* Lester *et al., 121 Illinois,* 99.

[18] Constitution, article IV, section 34.

[19] *Hurd's Revised Statutes,* chapter 37, sections 264 ff.; Lott *v.* Davis *et al., 264 Illinois,* 272.

illustrates the rigidity of the constitution in respect to the organization of the inferior judicial tribunals. The legislature does not possess sufficient discretion in the formation of courts to supply the needed flexibility in judicial organization required to meet changing conditions, especially in metropolitan areas.

The municipal court of Chicago has been called by competent authority "the pioneer modern judicial organization in the United States." It is a coherent and unified organization in that it has a real head in the chief justice. Under the statute, this officer is empowered to determine the number of branch courts to be necessary for the prompt and proper disposition of the business of the court. The judges of the court are empowered to adopt rules regulating the practice in the court, subject to the provisions of the acts of the general assembly and to the approval of the judges of the supreme court. The result of these provisions is shown in the efficiency and promptness with which the court dispatches business. Thus this court, "thanks to a modern organization and simple procedure, disposed in 1911 of 145,953 causes."[20]

Although a proper organization of judicial machinery is of prime importance in securing the efficient administration of justice, nevertheless much also depends on the character of the judges selected for the court. If the method of electing judges of the municipal court by popular vote does not eliminate partisan political considerations, no matter how modern the organization of the court, the best results cannot be expected to be obtained.

The circuit and county courts in the several counties of the state have jurisdiction in juvenile cases, but in Cook county it is provided that the judges of the circuit court shall designate one or more of their number to constitute a branch court, known as the juvenile court, to hear cases relating to dependent, neglected, or delinquent children.[21]

[20] Pound, "Organization of Courts," American Judicature Society, *Bulletin VI*, 23.

[21] *Hurd's Revised Statutes*, chapter 23, section 171; upheld as constitutional in Lindsay *et al. v.* Lindsay *et al.*, *257 Illinois*, 328.

A state tribunal of a somewhat special character is the court of claims. This body is the successor of the commission of claims established in 1877, the name having been changed to court of claims in 1903. It is not, strictly speaking, a court, since it is not provided for by the constitution; and the general assembly has no power to create state courts in addition to those provided in the constitution. Nevertheless it hears cases in accordance with the usual rules of court procedure. It consists of a chief justice and two judges, appointed by the governor and senate for four-year terms. The secretary of state is *ex officio* secretary of the court. It has jurisdiction to hear and determine all claims against the state, but the judgment of the court awarding damages against the state can be carried out only through an appropriation passed by the general assembly.[22]

As already pointed out, the circuit court is the court of general original jurisdiction in all causes in law and equity both civil and criminal, irrespective of the amount of money involved or of the degree of the offense. The circuit court may also entertain appeals from the final orders, judgments, and decrees of the county courts, except in certain enumerated cases, which are taken directly to the supreme or appellate court. The appellate courts have no original jurisdiction of any sort, their judicial duties being confined to hearing causes carried on appeal or writ of error from the county or circuit courts. Although the appellate courts were established mainly for the purpose of relieving the supreme court of some of the evils of an overburdened docket, the jurisdiction of the appellate courts is not final in all cases; but, under the constitution, cases may be carried from the appellate court on appeal or writ of error to the supreme court in criminal cases and cases in which a franchise of freehold or the validity of a statute is involved and in other cases provided by law.[23] The jurisdiction of the supreme court is to a large extent appellate in char-

[22] *Opinions of the Attorney-General,* 1915, p. 704-705; *Laws of 1917,* 325-327.

[23] *Hurd's Revised Statutes,* chapter 37, section 212; *Opinions of the Attorney-General,* 1916, p. 673; Constitution, article VI, section 11; cf. Freitag *v.* Union Stock Yard and Transit Company, *262 Illinois,* 551.

acter, but original jurisdiction is conferred upon it in cases relating to the revenue and in mandamus and habeas corpus cases. In all other cases, it may hear and determine cases brought on appeal directly from either the appellate, circuit, or county courts. The decisions of the state supreme court are final except in cases where a federal right is involved or the validity of a federal statute is contested, which may be carried on writ of error to the supreme court of the United States. The judges of the state supreme court are bound by the provisions of the federal constitution, as well as by those of the state constitution. Under the latter constitution, judges of courts of record inferior to the supreme court are required to report annually to the judges of the supreme court such defects and omissions in the laws as their experience may suggest; and in turn the judges of the supreme court are required to make a similar report annually to the governor, together with appropriate forms of bills to cure such defects and omissions in the laws. It does not appear, however, that the judges have availed themselves of the opportunity thus afforded to exert a positive influence on the making of the law. In 1909 Governor Deneen requested the aid of the judges of the supreme court in framing a valid primary election law, but the judges replied that the aid sought could not properly be given under the above provision of the constitution.[24]

Although no specific authority is granted in the constitution to the courts to declare acts of the legislature unconstitutional, such a power would seem to be implied in the provision that from the appellate courts appeals and writs of error shall lie to the supreme court in all cases in which the validity of a statute is involved. At all events, the courts, both inferior and supreme, have assumed the possession of this power and have exercised it on numerous occasions. Moreover, the rule of presumption in favor of the validity of legislative acts is seldom observed in Illinois. From the adoption of the con-

[24] Constitution, article VI, section 31; Wright, *Judicial Control of Legislation in Illinois*, 37-42.

stitution of 1870 to the end of the June term of the supreme court in 1913 the validity of laws was passed upon by that court in 789 cases, in which the acts concerned were declared void in 257 cases and upheld in 532 instances. Many limitations upon the legislature were placed in the constitution of 1870, which have tended to increase greatly the number of cases in which the constitutionality of laws is involved, as compared with the period preceding 1870. With reference to such limitations, the supreme court has declared that the general assembly is not the final judge of such limitation; but when the question arises in a judicial proceeding, the court must compare the particular act with the fundamental law; and if found to be in conflict, the limitation must be enforced. Or, as it was expressed in another case, "the courts are bound to obey both the constitution and the statutes, but in every case of a conflict between the two the constitution, being the highest written law of the State, must prevail."[25] To the extent, however, that an act of the legislature is expressive of discretion and judgment, its action must be regarded as final and not within the power of courts to review, unless the discretion has been so grossly abused as that it may be said not to have been exercised at all.[26]

The importance of the judicial control over legislation arises not only from the number of cases in which the validity of statutes is involved, but also from the importance of the statutes concerned. For example, as indicated in another chapter, the supreme court declared three primary election acts unconstitutional before a valid measure was enacted. The power of the courts in this respect extends not only to acts of the state legislature but also to acts of congress.[27]

Many of the acts of the general assembly have been held unconstitutional as being in conflict with the provision of the bill of rights to the effect that "no person shall be deprived of

[25] Constitution, article VI, section 11; Wright, *Judicial Control of Legislation in Illinois*, 47-48; Knopf *v.* People *ex rel.*, *185 Illinois*, 20; Haller Sign Works *v.* Physical Culture Training School, *249 Illinois*, 436.

[26] People *ex rel. v.* Carlock, *198 Illinois*, 150.

[27] See, for example, People *ex rel. v.* Brady, *271 Illinois*, 100 (101), in which parts of the federal reserve act were held unconstitutional.

life, liberty or property, without due process of law."[28] The line of decisions of the supreme court, however, in which the construction of this provision was involved has not clearly defined its meaning; and it is impossible to foretell the fate of a measure which is running the gauntlet of the supreme court's interpretation of due process. Some acts of the general assembly have also been held unconstitutional as violative of the third article of the constitution providing for the distribution of powers among the three distinct departments, legislative, executive, and judicial. This does not mean that the departments shall be kept so entirely separate and distinct as to have no connection with or dependence upon each other. From the principle of separation of powers, however, it follows that if the powers and duties of an officer belong to the judicial department, he must either be elected by the people as the ultimate sovereign authority of the state, or his appointment and removal must be vested in the judicial department, and his appointment cannot be delegated by the legislature to some other body, such as a county board, nor his removal to a civil service commission. It follows that the power to select officers who are to act as assistants to the court in the performance of judicial functions rests in the judicial department and is necessary to the independent exercise of judicial power and the separation of the judicial department from the other departments which are prohibited from exercising its functions. In pursuance of this principle, the court held unconstitutional a provision of the juvenile court act of 1907 which attempted to vest the appointment of probation officers in the county board of Cook county. On the other hand, the principle of separation of powers is not an insurmountable bar to the conferring of certain nonjudicial functions upon the courts, provided they are not incompatible with the proper performance by the court of its strictly judicial duties. Thus, the county court exercises certain administrative powers, such as the appointment of

[28] Constitution, article II, section 2; many acts have also been held unconstitutional as violative of the prohibition against special acts conferring special immunities, privileges, or franchises. *Ibid.*, article IV, section 22.

drainage commissioners, of members of the county board of review of assessments, and of election commissioners in cities operating under the city election act and the exercise of general supervision over the election machinery. So, an act of the legislature giving the circuit or county courts the power to appoint commissioners has been held to be a valid law; and powers and duties imposed by statute upon a circuit judge, not incompatible with his duties as judge, such as celebrating marriages and taking the acknowledgment of deeds, may be rightfully exercised by him. On the other hand, however, it was held that the land title act of 1895 was unconstitutional by reason of the fact that it attempted to confer judicial power upon a nonjudicial officer, the county recorder of deeds.[29]

The principle of separation of powers is also involved in the question of the power of the courts to entertain appeals from the orders and decisions of administrative bodies and officers. In the well-known case of the City of Aurora *v.* Schoeberlein[30] the supreme court had under consideration the constitutionality of a section of the civil service act which allowed an appeal from the decision of the civil service commissioners to the circuit court. This provision was held invalid on the ground that it attempted to delegate executive power to a judicial body. In the course of the opinion, the court pointed out that there could be no appeal in the legal sense unless there had been a decision by a judicial tribunal. Under this ruling, therefore, the courts do not possess jurisdiction to review the findings of fact of an administrative body. In questions of the interpretation of the laws, however, the courts may exercise jurisdiction over cases carried from such bodies on writs of *certiorari*. It has been held, however, that the section of the workmen's compensation act of 1913 providing that the supreme court may review the decisions of the industrial board as to questions of law by *certiorari* is invalid as it is in

[29] Witter *v.* County Commissioners of Cook County, *256 Illinois*, 616; People *ex rel. v.* Nelson *et al.*, *133 Illinois*, 565 (568); People *ex rel. v.* Chase, *165 Illinois*, 527.

[30] *230 Illinois*, 496.

violation of that section of the constitution which expressly limits the original jurisdiction of the supreme court to cases relating to the revenue, mandamus and habeas corpus. On the other hand, however, it was held in the same case that the circuit courts have power, by *certiorari,* to review the decision of the industrial board in cases coming under the workmen's compensation act, to the extent of examining whether such board has acted within its powers or has proceeded illegally.[31]

Although, in legal and judicial theory, the action of the courts in declaring statutes unconstitutional consists merely in applying the law as they find it to the facts of the case and in discarding the less fundamental law in favor of the more fundamental when there is a conflict between the two, nevertheless in reality the exercise of this power is the performance of a discretionary and political act. The result of its exercise is equivalent to the exercise of the legislative power of repealing a statute, which is clearly a political act. The frequent exercise of this power by the courts, therefore, tends to engender the idea that the courts constitute a branch of the political department of the state government, and to encourage the movement in favor of subjecting them to greater political responsibility. In connection with this topic a competent authority has declared that "the judicial power to pass on the constitutionality of legislation, as exercised by state courts with reference to state constitutions for the last three or four decades, has degenerated into a legislative power of veto, inviting parties beaten in the legislature to transfer their fight to the courts, converting the highest courts of the states into anomalous third legislative chambers, where political questions of governmental policy are debated and resolved by lawyers and judges under the guise of debating and resolving legal questions of governmental power, substituting the arbitrary will of judges for the

[31] Britton, *Judicial Control over Public Officers in Illinois,* 45-46; Matheny, "Recent Legislation and Constitutional Decisions in Illinois," *Illinois Law Review,* 3:134-135; Constitution, article VI, section 2; Courter *v.* Simpson Construction Company, *264 Illinois,* 488.

expressed will of the people, undermining and destroying the principle of the supremacy of law, converting it into an intolerable supremacy of judges, where the will and not the law has dominion."[32]

Even more potent, however, as a cause tending to bring the courts into politics is the prevalent method of selecting the judges by popular vote for comparatively short terms of office. This was introduced in Illinois as a result of the general democratic wave which swept over the country during the first half of the nineteenth century with the object and purpose of increasing the control of the people over their state governments. The result, however, has not been the success in accomplishing this purpose as was anticipated. The long ballot has placed such a heavy burden upon the voter that he has very largely abdicated the function which he was supposed to perform and has left the real selection of most of the elective officers to the party managers. The conditions were such that the average voter could not perform fully and intelligently the functions which the elective system required of him. Judges, as well as other officers remained nominally elective by the people, but were in reality appointed by the political experts who controlled the nomination of candidates and drew up the party slate. In an effort to counteract the tendency toward the partisan political control of judicial elections, the framers of the constitution of 1870 placed the election of the most important judges at a time separate from the election of other political officers. Unfortunately, however, the relative unimportance of this election as compared with the joint election of governor, legislature, and president, has tended to decrease the interest of the voters in, and attendance at, judicial elections to such an extent that the party organizations have usually experienced little difficulty in controlling them. Prior to the enactment of the primary election law, the candidates for the various judicial offices were selected by the political parties in party nominating

[32] Schofield, "The State Civil Service Act and the Power of Appointment," *Illinois Law Review*, 7: 343.

conventions. When the system of nominating conventions was displaced and that of nominating candidates for public office through party primaries was introduced, there was some difference of opinion as to whether judges should be included among the officers to be nominated at the primaries. It was finally decided, however, so to include them, in order that the people might directly nominate their own judges instead of leaving this function in the hands of the party bosses. As a matter of fact, however, both under the old convention system and under the system of nominating judges in party primaries, the real control over the selection of the candidates for judicial office, particularly in Cook county, has usually remained in the hands of the political experts acting through the county central committees of the principal political parties. Thus the judges have often been dependent for their nomination and election as well as for renomination and reëlection at the end of their terms, upon the will of those who control the organizations of the principal political parties.

In order to remedy this admittedly unsatisfactory condition of affairs, a movement has grown in recent years to bring about reform in the method of choosing the judges. This movement for reform has taken two directions: first, toward discarding the method of popular election in favor of appointment, and, secondly, toward retaining but improving the operation of the method of popular election. The method of appointment is deemed by many to be the natural and proper method of selecting state judges because, in the first place, this method has operated successfully in the case of the federal judges; and secondly because judges are or should be experts, and it is a well-recognized principle that the method of appointment is more satisfactory than that of popular election in securing experts in any public office. Although our judges are nominated and formally elective by popular vote, the virtual abdication by the people of their function in choosing these officers brings it about, as we have seen, that they are in reality at present appointed by the person or group of persons who

control the nomination of the candidates of the majority party. From this point of view, therefore, the proposal to change the method of selecting judges from popular election to appointment is not so radical as it might at first seem. The substance of the proposal is that since in any case most of the judges must be selected by appointment, such appointment should be formally recognized in the law instead of being concealed behind the form of popular election, and that the power of appointment should be transferred from the present more or less irresponsible holders of that power to some officer who can be held responsible by the people for the character of the appointments which he makes.

There appears, however, to be some difference of opinion as to who the appointing authority should be. Some favor appointment by the governor; others by an elective chief justice. Either of these methods would probably be an improvement over the present method of irresponsible appointment, at least in the metropolitan districts of the state.[33] Should the power of appointing judges be lodged in the hands of a chief justice, the possible danger that the large powers vested in him might be abused could be guarded against by making him elective by popular vote for a comparatively short term of office and by subjecting him to the possibility of recall by popular vote during his term. It has been suggested that such possibility of recall should be allowed only at stated annual intervals and that the percentage of voters required to sign the recall petition be sufficiently high so as to prevent the invocation of the power of recall for trivial reasons and so as to prevent the manipulation of recall elections by politicians in their own interest. A chief justice vested with such large powers could not be appointed by the politicians with the same ease with which they now frequently appoint inferior judges, for the election of such a chief justice would be sufficiently important to attract the attention and to arouse the intelligent interest of the mass of the voters. Furthermore, in order to retain some direct

[33] *Illinois Law Review*, 8:112-116.

popular control over the judges appointed by the chief justice, it might be provided that, at the end of the first term of each such appointed judge, the question should be submitted to popular vote as to whether he should be retained for another term. If the question is decided in the negative, the chief justice must then appoint another judge in his place.[34]

In spite of the above considerations, however, it is hardly probable that the people of the state would at any time in the near future be willing to forego the right of electing their judges. In the present state of public opinion, therefore, the practical problem is, while retaining the form of popular election, to reduce the influence of the party organizations in nominating and electing judges. Prior to the enactment of the primary election law of 1910, candidates for judicial offices had been nominated under the delegate convention system. While this left the selection of the judges largely in the hands of the party organizations, the members of the bar, through their associations, exercised some influence through recommending the selection of certain nominees for judicial positions.[35]

The general movement for bringing the control of nominations of elective officers into the hands of the people resulted in repeated attempts to enact a valid primary election law, which finally proved successful in 1910. This law provided for the nomination of judges, as well as other elective officers, by direct primary. Under the provisions of this law, the primaries for the nomination of judges to be elected in June of any year were to be held in the preceding April. In 1913, however, the general assembly enacted certain hastily considered amendments to the primary law, the effect of which was to place the judicial primary only three weeks before the election. Inasmuch as under the provisions of the primary election act and under the ballot act of 1891 at least thirty-one

[34] Kramer, "Constitutional Revision," *Proceedings of the Illinois State Bar Association*, 1915, p. 364-365.

[35] In 1893, fifty leading lawyers in Chicago met and chose a list of several republicans and democrats from which they recommended a selection for judicial officers in Cook county. *Chicago Tribune*, July 20, 1893.

days must elapse between the date of the primary and the date of the election for judicial officers, the supreme court held in 1915 that the primary law, as amended in 1913, is incapable of enforcement as to judicial offices. The result of this decision was to place the nomination of judicial officers under the provisions of the ballot act of 1891, which provides for the nomination of elective officers by caucus or delegate convention or by the filing of nomination papers.[36]

By those who favored the elimination of partisan political considerations in the selection of judges, the effect of the supreme court's decision in the Sweitzer case in reintroducing the old convention method of nomination was looked upon as tending unfortunately in the direction of reaction rather than of progress. The friends of nonpartisan election of judges were aroused and a bill with the object of taking the selection of judges out of politics was introduced in the general assembly of 1915. It failed of enactment, though a measure providing for a separate judicial ballot in cities of more than 200,000 population was passed. In view of the failure of the nonpartisan judicial election bill, the Chicago Bar Association held a bar primary in May for making recommendations to the voters to be followed in the judicial elections of June, 1915. By majority vote, the members of the bar association approved of certain candidates for supreme, circuit, and superior court judgeships. In most cases the sitting judges were recommended and elected.[37]

[36] *Laws of 1913,* p. 312; People *ex rel. v.* Sweitzer, *266 Illinois,* 459. This decision of the supreme court, however, does not apply to the nomination of judges of city courts and of the municipal court of Chicago, since in the case of the latter judges three weeks is sufficient time to elapse between the nomination and election of such judges. Consequently the primary election law applies to the nomination of such judges. See *Opinions of the Attorney-General,* 1915, p. 722, 733; 1916, p. 127, 159.

[37] In 1913, the Illinois State Bar Association adopted the following resolutions: "Resolved, That this Association favors a non-partisan judiciary in this state, and to this end it favors an amendment of our primary laws so that candidates for judicial positions shall be nominated by petition only, and that candidates for such offices shall be printed in one column on a ticket, and printed, the names to be interchangeable, so that one candidate will not occupy the first place on the ticket more than another." *Proceedings of the Illinois State Bar Association,* 1913, p. 218; *Laws of 1915,* p. 399.

The decision of the supreme court in the Sweitzer case has applied primarily to judicial offices to be filled at the June election, and some doubt therefore existed as to whether it applied also to the election of certain members of the superior court of Cook county, which was to occur in November, 1917. In order to dissolve this doubt, the general assembly in 1917, instead of either remedying the defective provisions of the amendatory primary act of 1913 by providing for a nonpartisan judicial primary, or passing a genuine nonpartisan judicial election act which would take party labels off judicial ballots, enacted a measure which provides that candidates for the offices of circuit judge and judge of the superior court of Cook county shall be nominated by the county conventions of the various political parties. This is practically equivalent to nomination by the county central committees of the various parties.[38]

The question of the proper method of retiring judges is closely connected with that of selecting them. Although the popular recall of judges, strictly speaking, has not been introduced into Illinois, the system of electing judges for comparatively short terms of office is tantamount to making them liable to recall, subject to the limitation that such recall is operative only at the end of the sitting judge's term, when he is a candidate for reëlection. Judges may, however, be removed from office during their terms by impeachment, and "the General Assembly may, for cause entered on the journals, upon due notice and opportunity of defense, remove from office any judge, upon concurrence of three-fourths of all the members elected of each house."[39]

In addition to improvement in the methods of selecting and retiring judges, other reforms which may be considered in connection with the courts of Illinois relate to the procedure fol-

[38] *Laws of 1917*, 454-455; The Lawyer's Association of Illinois contends that this act is unconstitutional, *Chicago Herald*, August 24, 1917. This contention, however, was denied by the supreme court of the state, which held the act constitutional. In the Cook county election of November, 1917, the bipartisan judicial ticket was successful.

[39] Constitution, article VI, section 30.

lowed in the administration of justice and to the organization of the courts.

The procedure followed in the administration of justice in the courts of Illinois is derived originally from the practice of the English courts, though in England court procedure has now been simplified while in Illinois reform in this respect still lags behind. In Illinois, the same judicial system acts separately both as common law and equity court, and both legal and equitable remedies may be administered in the same courts. Thus in matters relating to guardianship, the probate court may exercise equitable powers. In the trial of cases in equity, a jury is not required, and the judge may determine both law and fact. In all criminal cases, however, according to the criminal code, juries shall be judges both of the law and of the facts. In such cases, however, the power of the jury is in practice not always as great as this provision might seem to indicate, for the supreme court has held that, under this provision of the criminal code, it is not improper for the court to tell the jury that "if they can say upon their oaths that they know the law better than the court itself, they have the right to do so;" but that "before saying this upon their oaths, it is their duty to reflect whether from their study and experience they are better qualified to judge of the law than the court."[40]

In civil cases, trial by jury may be dispensed with by agreement between the parties. When a jury is employed, it is composed of twelve men, except in trials before a justice of the peace, where a jury of six may be used, unless either party to the case demands a larger number, not exceeding twelve. In all important criminal cases, the accused party has a constitutional right to trial by a petit jury of twelve men, and if the crime of which he is accused involves punishment by imprisonment in the penitentiary, he cannot be held to answer for the offense except on indictment of a grand jury. A grand jury

[40] Dougherty, *et al. v.* Hughes, *et al., 165 Illinois,* 384; *Hurd's Revised Statutes,* chapter 22, section 40, chapter 38, section 431; Spies *et al. v.* People, *122 Illinois,* 1 (8), following Davison *v.* People, *90 Illinois,* 221 (223).

consists of twenty-three jurors, before whom the evidence is presented. The concurrence of a majority of these is necessary in order to find a "true bill" against a person accused of crime. A verdict of conviction by a petit jury requires a unanimous vote.[41]

In all counties outside of Cook, grand juries, whenever required, are selected by the county board from among the legal voters in the county, as near a proportionate number as may be being taken from each town or precinct within the county. For the purpose of selecting a petit jury, the county board in each county outside of Cook selects a jury list comprising a considerable number of names of legal voters. Their names are deposited in the jury box, and from this box a sufficient number of names out of which to constitute the trial jury are drawn by the clerk of the court in which the trial is to take place. Members of juries must be residents of the county in which the court is held, but certain classes of persons are exempt by law from service on juries; these are usually the most intelligent classes of people in the community, such as public officers, ministers of the gospel, school teachers, and members of the legal, medical, and journalistic professions.[42] In Cook county, by an act of 1897, a board of jury commissioners composed of three competent electors is chosen by the judges of the several courts of record within the county, and serves for a three-year term, subject to removal by the judges for cause.[43] It is the duty of the commissioners to make up a jury list containing the names of the persons within the county legally qualified for jury service and to maintain at all times a jury box and a grand jury box containing not less than fifteen thousand and one thousand names respectively, out of which a sufficient number of names for grand and petit juries are drawn at ran-

[41] Constitution, article II, sections 5, 8; *Hurd's Revised Statutes*, chapter 79, section 48; People *v.* Glowacki, *236 Illinois*, 612.

[42] *Hurd's Revised Statutes*, chapter 78, sections 4, 8, 9. The attorney-general has held that women are ineligible to serve on juries, notwithstanding the act of 1913 conferring on them a limited right of suffrage. See his *Report and Opinions*, 1913, p. 655; 1914, p. 387.

[43] This act is constitutional. People *ex rel. v.* Onahan *et al.*, *170 Illinois*, 449.

dom by the clerks of the courts in which such juries are to serve.[44]

In making up the trial jury, each side is allowed to challenge any prospective juror for cause, and may also challenge a limited number of jurors without assigning a cause. Prejudice against either party is a sufficient cause for challenge but the fact that a juror has formed an opinion based upon newspaper statements of the case does not necessarily disqualify him from jury service in such case. When there is general prejudice against an accused person in a given locality, so that it would be difficult to secure an impartial jury for the trial of the case, a change of venue may ordinarily be granted so as to transfer the trial to some other jurisdiction. A change of venue for prejudice of the judge may also be secured, not by transferring the case to another locality, but by calling in another judge to try the case.[45]

The jury should be to a large extent under the control and subject to the direction of the court, but in some cases tried in Illinois, as has been pointed out, "the trial judge is reduced to the pitiful position of a mere presiding officer or moderator, whose advice, based, it may be, upon extensive knowledge of the law acquired by years of study and experience, may be disregarded by dull, perverse or dishonest jurors. . . . A flagrant example of the 'lawlessness' of jurors in Illinois and of the impotency of judges under such a system to prevent outright nullification of the law was recently afforded in Chicago where thirteen different juries in the face of incontrovertible evidence refused to convict saloon keepers for violating the Sunday closing law, thus presenting an example of a complete breakdown in the machinery of law enforcement."[46]

Although the grand jury may sometimes be useful in com-

[44] *Hurd's Revised Statutes,* chapter 78, section 29; cf. Ross, "The Jury System of Cook County, Illinois," *Illinois Law Review,* 5: 283-299.

[45] *Hurd's Revised Statutes,* chapter 78, section 14; People *v.* Gerold, *265 Illinois,* 448.

[46] People *v.* McCauley, *256 Illinois,* 504; People *ex rel. v.* Rodenberg, *254 Illinois,* 386 (387); Garner, "Juries as Judges of the Law," *Journal of Criminal Law and Criminology,* 2: 184.

pelling the attendance of witnesses and examining them under oath, and in supporting the public prosecutor in proceeding against powerful malefactors, it is nevertheless on the whole an inefficient and cumbersome body composed of untrained and irresponsible laymen. This inefficiency and cumbrousness is shown in the mistakes which the grand jury makes in selecting the cases to be tried and in failing to examine at all many cases in which true bills should probably be returned. It is said that, in 1911, the grand jury in Chicago released without a hearing twenty-eight per cent of those held on felony charges. Furthermore, the necessity of waiting for grand jury action is one of the most potent causes of delay in criminal proceedings.[47]

Other causes of delay in judicial proceedings consist in the necessary compliance with the complicated and technical requirements relating to drawing indictments, making pleadings, setting aside verdicts for certain irregularities, and ordering new trials or taking appeals from one court to another, the reversal of lower courts for technical errors, and the granting of numerous continuances for insufficient reasons. According to the constitution, every person "ought to obtain, by law, right and justice freely, and without being obliged to purchase it, completely and without denial, promptly, and without delay."[48] On account of the congested dockets some of the courts, however, and the expense of litigation, the parties to a case in court are often practically deprived of such constitutional right.

In several recent sessions of the general assembly, bills have been introduced looking toward the simplification of the rules of practice and procedure in courts of justice, but they have uniformly failed of passage. The Provine bill, introduced in the forty-ninth general assembly was based on measures previously proposed by the Illinois State Bar Association,

[47] Vernier, "Annual Meeting of the Illinois Branch," *Journal of Criminal Law and Criminology*, 4: 197; Mathews, *Principles of American State Administration*, 466.

[48] Article II, section 19.

the Illinois Conference on the Reform of the Law of Practice and Procedure, the Chicago Bar Association, Judge Hiram Gilbert, and the Logan Hay subcommittee of the judiciary committee of the senate in the forty-eighth general assembly. In spite of this imposing array of supporters, however, the bill was unable to overcome the forces of inertia and conservatism. The general principles relating to practice and procedure must naturally be sanctioned by the legislature, but the detailed rules might, as elsewhere, be drawn up by a commission of experts appointed by the supreme court and subject to such amendment from time to time by that court as experience may suggest.

Another judicial reform which has been agitated relates to the proper organization and coördination of the courts. It has been said by a competent authority that "Instead of a unified judicial system in Illinois we have a jumble of disconnected and disjointed courts each pursuing its own way with but little regard to any other. . . . As a system it has neither head nor tail. The Supreme Court has no power to direct the work of any other court or lay down a single rule for their adoption, while any justice of the peace may declare all laws of the legislature unconstitutional and void. Different methods of procedure prevail in the different courts, resulting often times in the greatest confusion."[49] The truth appears to be that the courts are still organized, in the main, according to the plan and principle which were considered proper and suitable for the state in its infancy, when it was scantily populated and largely rural in character. Under the present system judges have no opportunity of becoming specialists in the disposition of particular classes of cases, although some tendencies toward specialization in character of function can be discerned, as in the case of the probate courts and such quasi-judicial tribunals as the state public utilities commission. For the most part, however, such specialization as exists is based merely on the territorial principle. Specialization according

[49] Gemmill, "What is Wrong with the Administration of Our Criminal Laws?" *Journal of Criminal Law and Criminology*, 4: 701-702.

to the nature of the work to be performed and the character of the cases to be adjudicated is much more satisfactory from the standpoint of increasing the experience, expertness, and efficiency of the judiciary. This is especially true in metropolitan districts, where the evils resulting from lack of proper specialization and coördination of the courts have been most felt.

A committee of the State Bar Association on judicial administration reporting in 1909, complained that "there is the lack of any rational grouping of judges for the purpose of sitting continuously in certain classes of litigation, so as to become unusually expert in the handling of the trial of such cases;" and also a "lack of any authority in an administrative head, which may be exercised for the purpose of controlling the permanent assignment of judges for different classes of work."[50] The need here indicated has been supplied to some extent in Cook county through the establishment of the municipal court, with a chief justice having large authority over his subordinates. There is still a need, however, for the consolidation of the courts of Cook county under a system of complete coördination of its different branches and direction of an executive head.[51] At the present time, in the Cook county courts there is no system of assignments whereby a judge would specialize in one branch of the law and thus develop into an expert. In the general assembly of 1913, a bill known as the Curran-Kales bill was passed providing for the reorganization of the circuit and superior courts of Cook county so as to place the administration of each court in the hands of a judicial council of three members, empowered to make up the calendars, assign the judges and perform other duties incident to centralized control and supervision.[52] In a metropolitan area, such as Chicago, there should be but one court, with divisions or

[50] *Proceedings of the Illinois State Bar Association,* 1909, p. 98.

[51] This, however, would require constitutional changes. "Report of the Committee on Judicial Administration," *ibid.,* 204; 1914, part 1, p. 213.

[52] This bill, however, was vetoed by Governor Dunne, *House Journal,* 1913, 2160-2161.

branches for various classes of judicial work. The increasing complexity of modern social and industrial conditions necessitates, especially in the metropolitan areas, an increasing specialization in the organization and functions of the courts. As the tendency toward specialization proceeds, however, the greater becomes the need of coördination of the courts in order that the judicial system may be properly integrated.

XVI. SUFFRAGE, PARTIES, AND ELECTIONS

POPULAR government in Illinois, as in other states, in so far as it is really popular government at all, is such only in a limited sense, inasmuch as certain classes of persons have always been excluded from direct participation in public affairs. Those upon whom the right to such participation has been conferred may be called for distinction, the "political people," or "the people," par excellence. In theory, the latter were supposed to represent adequately the interests of those who were excluded from direct exercise of political rights. The classes of persons who are legally excluded have been reduced at present, practically speaking, to almost an irreducible minimum Grounds of disqualification for exercising the right to vote include lack of residence, lack of citizenship, minority, conviction of an infamous crime, and sex (in the case of voting for certain officers). Ground of disqualification for holding public office include lack of residence, lack of citizenship, nonattainment of a certain age, conviction of certain crimes, and failure on the part of a holder of public moneys to make proper accounting for all such funds.[1] It has been held that all persons are equally eligible to office who are not excluded by some constitutional or legal disqualification, and the fact of eligibility does not even depend upon the right of suffrage.[2] In general, with scarcely any exceptions, the qualifications or disqualifications prescribed for voters in state elections apply equally to national and local elections.

In order to be eligible to vote in such elections, Illinois requires a person otherwise qualified, to be a full-fledged citizen of the United States, so that mere declaration of his inten-

[1] Constitution, article IV, section 4; article V, section 5; article VII.
[2] People *ex rel. v.* McCormick, *261 Illinois,* 413.

tion to become a citizen is not sufficient. Such citizenship may of course be acquired either by birth in the United States or by the process of naturalization, or through what may be called vicarious naturalization, i.e., the foreign born wife or minor child may become a citizen of the United States through the citizenship or naturalization of the husband or father. Moreover, it has been held that wives of sons made citizens through the naturalization of their father during minority are citizens entitled to vote, if otherwise qualified. Furthermore, under the ruling of the Illinois court, a foreign born wife of a citizen of the United States does not lose citizenship by the death of her husband and her subsequent marriage to an alien, and her minor children also become citizens by virtue of her citizenship.[3]

Under the constitution, all persons having the qualifications therein named have the right to vote, and the legislature has no power to restrict that right, except in the case of those convicted of infamous crimes. It would seem to follow from this that the right of insane persons to vote could not be restricted by the legislature. There is a dictum of the state supreme court, however, to the effect that the vote of a person *non compos mentis* ought not to be received. The legislature has, moreover, provided by law that inmates of poorhouses, insane asylums, and hospitals shall not, for purposes of voting, be deemed residents of the city or election district in which the institution is situated.[4]

The requirements in regard to residence are that a person, in order to be a voter in any election must have resided in the state one year, in the county ninety days, and in the election district thirty days next preceding such election. In order to constitute a residence within the meaning of this provision, a "permanent abode" is necessary. What is meant by a "permanent abode" has been defined by the courts as depending largely on the person's intention or *animus manendi,* and this

[3] Dorsey *v.* Brigham, *177 Illinois,* 250; Kreitz *v.* Behrensmeyer, *125 Illinois,* 141 (142).

[4] Sanner *v.* Patton, *155 Illinois,* 553 (554); Welsh *v.* Shumway, *232 Illinois,* 54 (55); *Hurd's Revised Statutes,* chapter 46, section 66a.

may be shown both by his declarations and his acts. It has been held that an absence even for years, if the party all the while intends it as a mere temporary matter, is not an abandonment of residence.[5] With respect to the right of a college student to vote, the rule has been laid down that he "may vote in the place where the college is located if he is free from parental control, regards the place where the college is located as his home and has no other home to which to return; but his mere presence at the college is not sufficient, as his residence must be *bona fide,* with no intention of returning to his parental home after completing his studies."[6]

The constitution of 1870 made no provision for the exercise by women of the right to vote, but they have nevertheless been entitled to exercise this right to some extent since 1891. In that year the general assembly passed an act granting to women the privilege of voting at elections for any officer of schools under the general or special school laws of the state. In order to exercise this privilege, however, they must possess all the qualifications applying to men voting in such elections, namely, age, residence, citizenship, and registration. Thus, where an immigrant has not received his naturalization papers, his wife cannot vote at school elections, while, on the other hand, the wife of a foreign born son, made a citizen during his minority by his father's naturalization, thereby acquires the right to vote at such elections, if otherwise qualified.[7] The act of 1891, granting women the right to vote at school elections was passed in pursuance of the constitutional mandate laid upon the general assembly to provide a system of free schools. In providing for such a system, the general assembly could in its discretion select such method of choosing school officers as

[5] *Hurd's Revised Statutes,* chapter 46, section 66; Kreitz *v.* Behrensmeyer, *125 Illinois,* 141 (142); Moffett *v.* Hill, *131 Illinois,* 239. Under the constitution, "no elector shall be deemed to have lost his residence in this state by reason of his absence on business of the United States or of this state, or in the military or naval service of the United States." Article VII, section 4.

[6] Welsh *v.* Shumway, *232 Illinois,* 54 (55); *Report of the Attorney-General,* 1910, p. 864; 1912, p. 1261; 1913, p. 598; 1914, p. 985, 993.

[7] *Hurd's Revised Statutes,* chapter 46, section 332; Collier *v.* Anlicker, *189 Illinois,* 34; Dorsey *v.* Brigham, *177 Illinois,* 250.

it might deem proper, and the qualifications of those voting for school officers need not be the same as those of electors as defined by the constitution, except in the case of school officers named in the constitution. The only school officers so named are the state superintendent of public instruction and the county superintendent of schools, and, consequently, for these officers women cannot vote. The mere fact that women have the right under the act of 1891, to vote for school officers other than the two named in the constitution does not entitle them to vote upon propositions submitted at school elections, such as one for the establishment of a township high school. The provisions of the act of 1891 relating to woman suffrage were incorporated in the general revised school law of 1909; and under the latter law, women possessing the usual qualifications of voters were also made eligible to any office under the general or special school laws of the state.[8]

The right of women to vote was further extended by an act of 1913, providing that all women having the usual age, residence, and citizenship qualifications should be allowed to vote at elections for presidential electors, the state board of equalization, clerk of the appellate court, county collector, county surveyor, members of board of assessors, board of review, sanitary district trustees; for all officers of cities, villages, and towns (except police magistrates); upon all questions or propositions submitted to a vote of the electors of such municipalities or other political divisions of the state; for the following township officers: supervisor, town clerk, assessor, collector, and highway commissioner; and they might also participate and vote in annual and special town meetings.[9] This act has been upheld as constitutional in so far as it authorizes women to vote for the officers named, since the latter are within legisla-

[8] Plummer *v.* Yost, *144 Illinois,* 68; People *ex rel. v.* English, *139 Illinois,* 622; People *v.* Welsh, *70 Illinois Appellate,* 641; *Hurd's Revised Statutes,* chapter 122, sections 269, 270.

[9] *Laws of 1913,* p. 333. Since highway commissioners are not township officers in counties not under township organization, women do not have the right to vote for them in such counties. *Report and Opinions of the Attorney-General,* 1914, p. 519.

tive control, none of them being of constitutional origin. The right of women to vote under this act, however, is not quite as extensive as might appear on the face of the act. Thus women cannot vote for county collector in counties where this office is exercised *ex officio* by the sheriff or county treasurer since the latter officers are of constitutional origin. Again, women may not vote for the county commissioners of Cook county, who are constitutional officers, nor for the president of such board of commissioners, nor for a judge of a city court, since the manner of selecting this officer is indirectly indicated by the constitution. Moreover, limitations rest upon the right of women to vote upon certain propositions. Thus, women have no right, as a rule, to vote at referendum elections provided for in the constitution, such as upon a proposition for changing a county seat, or for the holding of a constitutional convention. Moreover, it has been held that women are not authorized, under the act of 1913, to vote upon the question of organizing a high school district, since school districts are not among the municipalities mentioned in the act and do not become political subdivisions of the state until after organization. Furthermore, it has been held that women are not entitled to vote for delegates to national nominating conventions or for party committeemen at primaries.[10]

As to the actual participation of women in the suffrage, it may be said that, in 1894, the number of women registered in Chicago was about 30,000 of whom about 24,000 voted. Ten years later the number registered was less than 2,000, of whom only about 1,000 voted. In 1909, in an election in which they could vote only for university trustees, 700 registered and less than 500 voted. This falling off in the registration and vote

[10] Scown *v.* Czarnecki, *264 Illinois,* 305; People *ex rel. v.* Czarnecki *et al., 265 Illinois,* 489; Franklin *v.* Westfall, *273 Illinois,* 402; People *ex rel. v.* Peltier *et al., 265 Illinois,* 630; People *ex rel. v.* Militzer, *272 Illinois,* 387; People *ex rel. v.* Byers, *271 Illinois,* 600; *Opinions of the Attorney-General,* 1915, p. 307, 416, 861. The attorney-general has held that the mere fact that women have been made voters does not confer upon them the privilege of serving on juries. *Report and Opinions of the Attorney-General,* 1913, p. 655. On the other hand the attorney-general has held that a woman may hold the office of deputy sheriff. *Ibid.,* 1914, p. 1339.

was natural after the novelty of the first voting wore off, considering the relative unimportance of the officers for whom women were allowed to vote and the indifference of the party organizations in getting out the woman vote. After the enactment of the law of 1913, enlarging the scope of woman suffrage, there is naturally a great increase in the size of the woman vote. In the Chicago mayoralty election of 1915, about 232,000 women voted. In the presidential election of 1916, about 842,000 women throughout the state voted for the candidates of the two leading parties, out of a total vote of 2,102,000 for these candidates. The percentage of men and women voting the tickets of each of these two parties was about the same in each case, indicating that the result of the election would have been the same had the women not voted. It has been generally true that, on general party lines, the women vote substantially as the men do, and, in this respect, their influence in the elections has not been so radical as was predicted by some persons. In elections, however, where party lines are largely obliterated and issues are involved having a moral aspect, the influence of the women has, with few exceptions, been more decided. They have sometimes been a deciding factor in favor of the election of good government candidates in local elections and in favor of the abolition of saloons in local option contests. "At the local option elections in Illinois April 27, 1914, about 1,100 saloons out of 3,000, where elections were held, were abolished; twelve dry counties were added to the thirty already dry."[11]

The influence of the electorate in choosing officers and passing upon public questions is not usually exerted *en masse,* but only through groups of voters organized into political parties formed for the purpose of influencing the elections to public office and of gaining control of the machinery of government. In endeavoring to accomplish this purpose, the political parties undertake to nominate candidates for office, to draw up platforms of principles, and to create and maintain permanent

[11] *Chicago Tribune,* April 1, 1916.

party organizations. Formerly the political party was regarded as a voluntary association of voters, similar to a religious sect, and therefore not a proper subject of legal regulation. This view, however, is no longer held and the political party is now regarded as a governmental agency which is an appropriate subject of legal regulation, but the movement toward such regulation has been a slow and gradual one. The early laws were optional and local in character and aimed principally at the correction of certain abuses which had grown up in connection with nominations and elections. An optional city election act was passed in 1885 which provided for the appointment by the county court of a board of three election commissioners in cities adopting the act, which should have charge of the registration of voters and the holding of elections. The two leading political parties were recognized as entitled to representation on the board and in the selection of judges and clerks of election.[12] This act was immediately adopted by Chicago and has now been adopted by nearly a dozen cities, including East St. Louis, Springfield, and Peoria.

The movement to subject political parties to legal regulation involved the formulation of a definition of a political party. This became especially necessary in connection with the introduction of the uniform Australian ballot, prepared and printed by the government, for the question immediately arose as to the method of determining what names should be printed on the ballot as the candidates of the several political parties. To print upon such official ballot the names of candidates in accordance with a mere certificate of nomination caused to be filed with the proper official by a convention or other body representing an association of qualified voters is in itself a recognition that such association of voters constitutes a political party. Thus, under the act of 1891 introducing the Australian ballot into Illinois elections, it was provided that "any convention of delegates, caucus or meeting representing a political party which at the general election next preceding

[12] *Hurd's Revised Statutes,* chapter 46, sections 171, 180.

polled at least two (2) per cent of the entire vote cast in the State or in the electoral district or division thereof, or the municipality for which the nomination is made, may for the State, or for the electoral district or division thereof or municipality for which the convention, caucus or meeting is held, as the case may be, by causing a certificate of nomination to be duly filed, make one such nomination for each office therein to be filled at the election." The two per cent rule, is, of course, an arbitrary limitation, and it may happen that an association of voters having all the other essential characteristics of a political party fails to poll the required percentage of votes. Provision is made for this case as well as for the case of a candidate of an independent group of voters by the next section of the same act, which provides that nominations of candidates for any office to be filled by the voters of the state at large may also be made by nomination papers signed for each candidate by not less than one thousand qualified voters of the state and, in the case of candidates for local offices, by a specified percentage of the voters at the next preceding general election in the given locality.[13]

As illustrating the operation of the above provisions, it may be noted that, in the general election of 1916, nominations for governor and state officers were made by five parties, democratic, republican, socialist, prohibition, and socialist labor. Of these, the last two had not polled two per cent of the total vote at the next preceding general election and consequently had to make their nominations by filing nomination papers. Of the other three parties, although each of them had polled at least two per cent of the total vote at the next preceding election, one of them, the socialist party, polled so few votes as compared with the two leading parties that it should be denominated a minor party and grouped for most purposes with the other two minor parties rather than with the two major parties. For the purpose of making nominations under the direct primary election law, however, as will be seen

[13] *Hurd's Revised Statutes,* chapter 46, sections 291, 292; *Report of the Attorney-General,* 1908, p. 734.

later, the parties coming under the two per cent rule are grouped together.

No political party can, under ordinary conditions, expect to win success at the polls without maintaining some sort of organization. This organization consists principally of conventions and party committees of various grades and kinds. Provision is made under the direct primary election law for county, congressional, and state conventions. Formerly, the arrangements for holding the conventions, such as time and place of meeting and ratio of representation were entirely in the hands of the party committees. Thus, in 1898, the republican state committee decided that the state convention of that party should be held at Springfield on June 14, 1898; and the ratio of representation was fixed at one delegate for each four hundred votes and major fraction thereof cast for McKinley in 1896. This ratio made a convention of 1,521 delegates, of whom 555 were from Cook county.[14] The ratio of representation in the republican state convention of 1916 was fixed at one delegate for each four hundred votes cast for L. Y. Sherman for senator in November, 1914. In the democratic state convention of 1916, there were 1,029 delegates, of whom 343 were from Cook county.[15] The date of holding state conventions and the method of electing delegates thereto have now come under legal regulation. Conventions are required to be held shortly after the April primaries. The county convention consists of a meeting of the members of the county central committee and is empowered to choose delegates to the congressional and state conventions of its party. The congressional convention is empowered to choose delegates to national nominating conventions and to recommend to the state convention of its party the nomination of candidates for presidential electors. Since the amendments of 1913 to the primary law, however, the delegates and alternate delegates to the national nominating conventions have been chosen by the party

[14] *Chicago Tribune*, February 24, 1898.
[15] *Chicago Herald*, April 14, 1916.

voters at the direct primary election. Possibly, the power of congressional conventions to choose such delegates might be operative when, for any reason, the party voters fail to choose them at the direct primary election, but the attorney-general has held that the congressional conventions have no longer any official duty to perform with reference to the selection of such delegates.[16]

The power of the state convention to make nominations of candidates for state offices was formerly much greater than at present. Under the Australian ballot law, the convention was recognized as the official representative of the party for the purpose of making nominations to elective offices. But, under the present primary law, it is empowered to nominate candidates only for presidential electors, for trustees of the University of Illinois, and for any other offices the nomination of candidates for which is not provided for in the primary election law. In addition, it is empowered to adopt the party platform.[17] The parties have adopted the practice, in years in which a governor is to be elected, of holding an adjourned session of the state convention after the September primaries and, at such session adopting the state platform. Since the candidate of the party for governor is then known, this practice naturally gives the gubernatorial candidate of each party more influence in drawing up the platform and consequently more weight to the platform itself.

Central or managing committees for each political party are specified in the primary election law, corresponding to the various grades of government. Thus, for each party there are a state central committee, a congressional committee for each congressional district, a senatorial committee for each senatorial district, a county central committee for each county, a city central committee for each city or village, a precinct committee for each precinct, and in Chicago a ward committee for each ward.

[16] *Opinions of the Attorney-General*, 1915, p. 731.

[17] People *ex rel. v.* Sweitzer, *266 Illinois*, 459; *Hurd's Revised Statutes*, chapter 46, section 461.

Under the direct primary election law, it is provided that the state, senatorial, and precinct or ward committees shall be elected by the primary electors of the respective parties. State central committeemen are elected by the primary electors of each party, voting by congressional districts. The county and city central committees consist of the precinct and ward committees, if any, within their respective territorial limits, while the congressional district committees are composed of the chairmen of the county central committees of the counties composing such district. Each committee may elect a chairman from its own membership. It has sometimes happened that the real party control was not in the hands of the party committees but in those of one man or small group of men who held no official position in the party. An attempt to remedy this abuse is made in the direct primary election law by the provision that the "several committees shall not have power to delegate any of their powers or functions to any other person, officer, or committee." [18]

The power of the party machine over the nomination of candidates for public office under the convention system was so extensive as to lead to grave abuses. The delegates to the conventions ceased to be representative of the rank and file of the party and were sometimes mere dummies acting under the domination of a small group of leaders. Of the more than seven hundred delegates to a Cook county convention which met in 1896, it is said that 265 were saloonkeepers, 148 were political employees, 84 were ex-Bridewell and jailbirds, and 43 had served terms in the penitentiary for murder, manslaughter, or burglary.[19] It is not surprising that nominations made by such conventions were unsatisfactory to the mass of voters. In order to remedy these and other abuses, the system of nomination by direct primary elections was introduced shortly after the beginning of the twentieth century. The demand for primary legislation arose immediately out of the gubernatorial

[18] *Hurd's Revised Statutes*, chapter 46, section 460.
[19] Ray, *An Introduction to Political Parties and Practical Politics*, 92.

contest in the republican party in 1904. There were six candidates, five of whom made a general canvass throughout the state. At the republican state convention, there were double delegations from eleven counties. The republican state convention unseated 112 delegates, while the democratic convention unseated 241 delegates.[20] The republican state convention, consisting of 1,502 delegates, was in session from May 12 to June 3, 1904, and took seventy-nine ballots for governor before a candidate was nominated as a result of combinations and withdrawals by some of the other aspirants for the office. During the deadlock a resolution was introduced to refer the governorship nomination directly to the republican voters of the state, to be voted upon at a special primary to be called for that purpose in all parts of the state on the same day. After some discussion, the resolution was tabled. Primary elections to choose delegates to nominating conventions had already been in existence for many years. In 1885 an act was passed prohibiting any except persons qualified to vote at regular elections from voting at primary elections or elections called to select delegates to party conventions.[21]

The first of a long series of acts designed to regulate the whole process of the nomination of candidates by political parties was enacted in 1889 under the title, "an act to regulate primary elections of voluntary political associations, and to punish frauds therein."[22] This was merely an optional act, to be used or not at the discretion of the party committees and has since been repealed. The first primary election act in Illinois which introduced the compulsory principle was enacted in 1898, though it was compulsory in Cook county only and was optional in other parts of the state. This law, and the amendatory act of 1901 were noteworthy as early attempts to apply to primary elections the system of regulations and safeguards already in force at general elections. None of these acts, however, provided for the nomination of candidates by direct primary elec-

[20] *Chicago Tribune,* May 24, 1906.
[21] *Hurd's Revised Statutes,* chapter 46, section 360.
[22] *Laws of 1889,* p. 140.

tion. The popular desire for the introduction of the latter system was indicated in November, 1904, when a proposition was submitted under the public policy law to the effect that the primary laws should be amended so as to provide for party primaries at which the voter would vote under the Australian ballot directly for the candidate whom he wishes nominated by his party. The proposition was approved by a decided majority of the votes cast on the proposition and also by a majority of all the votes cast at the election.[23]

In pursuance of this popular mandate, the legislature has passed in quick succession four direct primary election acts, in 1905, 1906, 1908, and 1910. The first three of these acts were declared unconstitutional by the state supreme court for various reasons, none of which, however, went to the extent of affecting the general power of the legislature to regulate primary elections.[24] The first act was held unconstitutional partly on the ground that it attempted to apply to Cook county provisions different from those in the rest of the state, and this was in violation of the constitutional prohibition against local and special legislation. The court also held that the act violated the constitutional provision that all elections shall be free and equal, as a primary election, the court held, is an election within the meaning of this provision. The act of 1906 was held unconstitutional partly because it permitted only one candidate for representative in the general assembly to be nominated by popular vote and required additional candidates to be nominated by the senatorial convention, and partly because it attempted to confer the power of establishing delegate districts upon county central committees, which were declared not to be public agencies.

The act of 1908 was declared unconstitutional for two

[23] *Laws of 1898*, p. 11; *Illinois Blue Book*, 1907, p. 515.

[24] The act of 1905 was declared unconstitutional in People *ex rel. v.* Board of Election Commissioners of City of Chicago, *221 Illinois*, 9, that of 1906 in Rouse *v.* Thompson, *228 Illinois*, 522; and that of 1908 in People *ex. rel. v.* Strassheim, *240 Illinois*, 279 (280). For a review of the acts and cases see Jones, "The Direct Primary in Illinois," *Proceedings of the American Political Science Association*, 7: 138 ff.

principal reasons. In the first place, it was held invalid because although it made provision whereby nonregistered voters who had moved into an election district since the last registration might be sworn in and allowed to vote, it made no similar provision for voters becoming of age, becoming naturalized or otherwise becoming entitled to vote since the last registration day in cities operating under the city elections act of 1885. The second reason for declaring it invalid was because it allowed primary electors to cast only one vote for each of as many candidates for representative in the general assembly as are to be nominated by his party, as determined by the senatorial committee and thus denied to such elector the constitutional right to vote for three candidates for representative or to cumulate his vote upon or divide it between a less number. The court was thus led to some strange conclusions, due to its fundamental assumption that a primary election is an election within the meaning of the constitutional use of that term.[25] In spite of the invalidity of the three acts, nevertheless primary elections were held under them in 1906 and 1908, and the succeeding elections were held at which the candidates nominated at such primaries were duly voted for. The supreme court held that, after an election has been held, the title of the successful candidates to their offices is not affected by holding unconstitutional the primary act under which they were nominated.[26]

In order to avoid, if possible, the fate which had befallen the previous primary election acts, that of 1910 is divided into two parts which are really separate measures, one of which relates to nominations for other than members of the legislature and the other is confined to the nomination of candidates for membership in the house and senate and to the election of senatorial committeemen. In order to conform to previous decisions of the supreme court, the legislative primary act provided for a cumulative vote for nominating candidates for representative in the general assembly. It was also provided that

[25] For criticisms of the supreme court's decision in the primary election cases see articles by L. M. Greeley in *Illinois Law Review*, 4: 227-242; 5: 502-508.

[26] People *ex rel. v.* Strassheim, *240 Illinois*, 279 (280).

the senatorial committee of each party should, by resolution, "fix and determine" the number of candidates to be nominated by their party for representatives. This provision was made the subject of attack in subsequent proceedings before the supreme court, but by a close vote, the court upheld it as not unconstitutional.[27]

The mandatory, state wide, direct primary law of 1910, with subsequent amendments thereto, has thus far, in the main, passed successfully the gauntlet of the courts. Its principal provisions are as follows: the names of the candidates for the various offices are placed on the primary ballot only as the result of the filing with the proper officer of a petition for nomination, containing the required number of signatures. The candidates to be nominated in the direct primary are all those for all elective state, congressional, county, city, town, and village offices, members of the board of equalization, clerks of the appellate courts, and trustees of sanitary districts. Precinct, ward, and state central committeemen, and delegates and alternate delegates to national nominating conventions are also elected at the direct primary. In the case of a candidate for a state office, the signatures of not less than one thousand and not more than two thousand primary electors of his party are required. For most other offices, the signatures of at least one-half of one per cent of such electors in the district are required. The petitions must be filed in the office of the secretary of state, the county clerk, or the city clerk (depending on the character of the office for which the nomination is sought), not more nor less than a certain number of days prior to the date of the primary. In 1912, more than one thousand petitions of candidates for place on the primary ballot were received in the office of the secretary of state by mail and messenger.[28] In 1916, the number was between twelve and fifteen hundred. A reduction in the number of petitions might be effected by increasing the percentage of voters required to put a name on

[27] People *ex rel. v.* Deneen, *et al., 247 Illinois,* 289.
[28] *Chicago Record-Herald,* February 10, 1912.

the primary ballot but if the percentage were too great, undue weight might be given to the use of money in securing signatures. It seems possible that the means provided for ascertaining the authenticity of signatures might be improved. The names of candidates for nomination for each office are printed on the primary ballot, as a rule, in the order in which their petitions for nomination are filed. This provision has sometimes led to disgraceful scrambles among the candidates or their representatives in order to secure the advantages deemed to arise from first place on the ballot.[29] The law in this respect might be improved by providing for alphabetical arrangement with rotation of names on different sets of ballots. But the mere fact that first place on the ballot is of such decided advantage to a candidate would seem to indicate that the candidates are too numerous or the offices too unimportant for the voters to make an intelligent choice.

At the direct primary election, the date for holding which is determined by law, the usual safeguards and methods of procedure in force at general elections are required. The judges and clerks at general elections occupy the same offices at primary elections. There are the same provisions regarding ballot boxes, challengers, electioneering, and bearing the expense of the election in both cases. The primary elections for all political parties are held on the same day and at the same place, but there is a separate primary ballot for each such party. The same qualifications are in the main required of voters at primary elections as at general elections. Under the primary election law, women possessing the usual qualifications as to age, residence, and citizenship are given the right to vote at the primary "for the nomination of candidates for such offices as such women may vote for at the election for which such primary is held."[30] It has been held, however, that women are not entitled to vote for delegates to national conventions or party committeemen at primaries.[31]

[29] *Report of the Attorney-General*, 1912, p. xxxiv.
[30] *Hurd's Revised Statutes*, chapter 46, section 494.
[31] People *ex rel. v.* Byers, *271 Illinois*, 600.

The qualifications of voters at a primary election may be said to differ from those at a general election in that no person is entitled to vote at a primary election unless he declares his party affiliation. If the would-be primary voter has voted at a primary of another political party during the preceding two years or has signed the petition for nomination of a candidate of any party with which he does not affiliate or has signed the nomination papers of an independent candidate, he is disqualified from voting at the primary election at which such candidates are to be voted for. These provisions put into effect in Illinois the closed primary as distinguished from the open primary found in some states. It is said that the two-year rule of the primary law prevented thousands of progressives from taking part in the primaries of their party in the spring of 1913.[32] The closed primary is embarrassing and discouraging to the independent voter who does not wish to affiliate with any political party, while at the same time exercising some influence on the nominations, but is deemed desirable by some observers in order to prevent the voters of one party from conspiring to secure the nominations of undesirable candidates for another party. The person receiving the highest number of votes at the primary as a candidate of a party for the nomination for an office is the candidate of that party for such office. Under this plurality system, where a large number of candidates are contending for nomination for the same office the candidate may be nominated by a very small percentage of the voters.

Most observers are agreed that the experience thus far had with the direct primary in Illinois shows it to be decidedly superior to the delegate-convention method of making nominations. It tends to reduce the control of the party machine over nominations and correspondingly to increase that of the rank and file of the voters. It is not, however, without defects, some of which appear to be remediable while others appear to be inherent in the system. As actually administered, direct

[32] *Chicago Record-Herald,* April 10, 1913.

primaries tend to complicate the system of elections and to multiply their number, so that such a burden is placed upon the voter that he may fail to bear it except perfunctorily, and thus the party machines may actually retain virtual control of nominations. The primary election tends to complicate the system of nomination machinery to such an extent that only the trained politician can operate it to advantage. Although frowned upon in some quarters as a violation of the spirit of the direct primary law, a natural result of the complicated primary election machinery is the practice of slate-making sometimes indulged in by the party leaders. The organization slate of candidates usually wins, though not so frequently as under the delegate-convention system, for now the slates must be made up before the primary election and the voters have the opportunity of eliminating the organization candidates if they are especially bad. This very fact places more pressure upon the organization leaders to put forward good men than was exerted upon them under the convention system. Many voters, however, maintain an apathetic state of mind toward the primaries; and the percentage of voters who vote at the direct primary elections is not usually as large as that at the general elections but is decidedly larger than that of the voters who participated in the indirect primaries under the old convention system. Some of the remediable defects of the direct primary were indicated in one of the questions of public policy submitted to the voters in 1912, suggesting the passage of an act to "abolish the scandals and disorder now incident to the filing of petitions, to increase the secrecy of the ballot and the political freedom of the voter, to simplify the system and reduce the expense of elections and to encourage a greater popular participation in primary elections to the end that nominations may represent more truly the judgment of majorities."[33]

It is generally agreed by competent observers that the principle of the short ballot should be applied to primary elections as well as to general elections, and that the people should be

[33] This proposition was approved by a vote of 524,000 to 158,000.

expected to nominate candidates only for such offices as are sufficiently important to attract general public attention. Where the long ballot prevails, the system of nomination by primary election may be more objectionable in some respects in the case of state than in local elections, though, in the latter, nomination by petition without party designation is preferable to nomination in party primaries. Direct primaries tend to increase the public expense in holding elections and may also largely increase the campaign expenses of the candidates for important state wide or city wide offices. This naturally gives an advantage to the organization candidate or to the wealthy candidate who is able to build up a personal organization backing him. It is necessary, however, under the direct primary system for the candidates for important offices to appeal directly to the rank and file of the voters instead of merely to organization leaders and party managers who control delegates, as was the case under the convention method of nomination. Although this circumstance may militate somewhat against the solidarity of party organization, it seems to tend in the direction of more democratic control over the forces which, in turn, control the government. In the case of the governor, the method of nomination by direct primary election tends to increase his prestige and influence as the leader of his party, provided that the rivalries and enmities which may have been engendered during the primary campaign are sufficiently healed after the election.

Some of the objections to the closed party primary, as operated in Illinois, might be avoided through what is known as the nonpartisan primary, which has been introduced in some states in connection with judicial and local elections. Nomination of candidates for judicial office in Illinois is not provided for in the primary law in a manner capable of enforcement; and hence candidates for judgeships may be nominated by petition or by party convention or caucus, as provided for in the ballot law of 1891.[34] Provision is made, however, for the

[34] People *ex rel. v.* Sweitzer, *266 Illinois*, 459; *Opinions of the Attorney-*

nomination of candidates for certain local offices by nonpartisan primary, under the commission form of government act of 1910. It is provided under this act that the names of candidates for mayor and commissioners shall be placed alphabetically on the primary ballot as the result of the filing of petitions. It is specifically declared that the ballots "shall have no party, platform or principle designated, or appellation or mark whatever, nor shall any circle be printed at the head of the ballot."[35] The names of the two highest candidates for mayor and of the eight highest candidates for commissioner are printed on the official ballots at the regular election, and to these ballots the same prohibition regarding party designation, circle, et cetera, applies as in the case of the primary ballots.[36] The advantages of this plan are, first, it tends to separate local from state and national politics; secondly, it makes it unnecessary for the state to formulate a legal test of party affiliation; and, finally, it embodies the principle of a majority rather than a plurality election. It is felt by many persons that this plan should at once be extended to nominations for judicial offices, and, in time, for all state offices, in order to separate state from national politics.

Whatever may be the form of nomination, whether convention or closed or nonpartisan primary, the regular or general election follows as the next step in the process of choosing public officers. For the purpose of holding such election, the practice is followed of appointing special election judges and clerks, rather than utilizing the regular local officials to perform this function. In cities which have adopted the provisions of the city elections act of 1885, there is appointed by the county court of the county in which the city is located a bipartisan board of election commissioners composed of three members, which has general charge of registration of voters and

General, 1915, p. 722. By an act of 1917 it is provided that candidates for the office of circuit judge and superior court judge of Cook county shall be nominated by county conventions of the various political parties. *Laws of 1917,* p. 454.

[35] *Hurd's Revised Statutes,* chapter 24, section 193b14.

[36] *Ibid.,* section 193b19.

holding of elections. This board divides the city into election precincts, each containing approximately three hundred voters, and selects the judges and clerks of election for confirmation and appointment by the county court.[37] Of the three judges and two clerks appointed for each precinct, at least one judge and one clerk must be selected from each of the two leading political parties in the state. In places where the city elections act of 1885 is not in force, the county board of supervisors or commissioners establishes election precincts or districts, each containing approximately four hundred voters, and appoints in each such precinct or district three judges of election, no more than two of whom shall be members of the same political party.[38] The judges and clerks receive a compensation fixed by law, which, in the case of local elections, is paid by the city or township, and by the county in the case of general, county, and state elections.

The judges in each precinct constitute a board of registry, which is required to meet three weeks before an election for the purpose of making a list of the qualified voters of the precinct, drawn from the poll lists of the preceding election and from the personal knowledge of the judges. Names of qualified electors, however, may be sworn in on election day. In cities operating under the act of 1885, however, the method of personal registration is followed, and a person who is not registered cannot vote on election day even though he offers to make an affidavit that he is a qualified voter. By an act of 1917 there is provided, in cities of one hundred and fifty thousand population and over, a central registration place, which remains open for the convenience of voters between general registrations.[39]

Under the ballot act of 1891, it is provided that, in all general elections, voting shall be by ballots printed and distributed at public expense and that no other ballots shall be used. This

[37] More than eleven thousand judges and clerks of election are appointed for Cook county alone.

[38] *Report and Opinions of the Attorney-General,* 1914, p. 553.

[39] *Report of the Attorney-General,* 1908, p. 724; *Laws of 1917,* p. 460.

expense is a charge on the cities, villages, and towns in the case of municipal elections, and on the counties in all other elections. The form of ballot required by law is that known as the Indiana or New York form of the Australian ballot, in which the candidates of the several political parties for the various offices are arranged in separate columns. Moreover, the party appellation and party circle are printed at the top of each party column. Prior to 1897 the same candidate might be nominated by two or more parties and his name appear in two or more party columns. Thus, on the official ballot used at the general election of November, 1896, the name of William J. Bryan, appeared in the democratic, people's, and middle of the road party columns and the name of John P. Altgeld appeared in that of the democratic and people's party columns. Under the ballot law as amended in 1897, however, the name of a given candidate is prohibited from appearing upon the ballot under the name of more than one party.[40] It is not difficult to imagine circumstances under which this provision, by preventing the fusion of independent groups or minority parties, might operate to the advantage of the major party organization. Although sample ballots may be distributed before the election, and must under the law, be published in newspapers, the official ballot, indorsed with the initials of one of the election judges, may as a rule be obtained by the voter only from such judge at the polls on election day. By acts of the general assembly passed in 1917, however, provision is made whereby legally qualified voters who are absent from their voting precincts on election day on account of business or other duties may have their votes counted by mailing their ballots to the election officers. At the same time provision was made for absent voting by qualified voters enlisted in the military service of the state or of the United States.[41]

Prior to 1899, if a constitutional amendment or other public measure were submitted to a popular referendum, such ques-

[40] *Hurd's Revised Statutes,* chapter 46, sections 288, 295; People *v.* Czarnecki, *256 Illinois,* 320; *Report of the Attorney-General,* 1912, p. 389, 393; 1915, p. 720.
[41] *Laws of 1917,* p. 434, 440.

tion was printed upon the ballot after the list of candidates. It was found, however, that, under this arrangement, many voters, having voted for the candidates, either failed to notice the proposition printed at the bottom of the ballot or, else, were too little interested in the matter to take the trouble to vote upon it. This self-elimination of the indifferent voter would have been of no serious consequence had it not been that, under the provision of the constitution relating to amendments, it is required that a proposed amendment must, in order to be ratified, receive a majority not of those voting upon the proposition, but of those voting at the election.[42] Under this provision, a failure to vote on the proposition at all practically amounted to a vote against it, and it was thus very difficult to secure a favorable vote upon such proposition. Thus, in 1892, 1894, and 1896, proposed constitutional amendments were submitted to popular vote, and, with the exception of the first one, the votes cast upon the proposition were overwhelmingly favorable. But the amendments failed of ratification because they did not receive a majority of the votes cast at the election. Consequently by an amendment to the election law, enacted in 1899, it is provided that, whenever a constitutional amendment or other public measure is proposed to be voted upon by the people, the substance of such amendment or measure shall be printed on a separate ballot, which is handed to the voter at the polls together with the candidate ballot. Since the enactment of this provision of law, three proposed constitutional amendments have been submitted to the voters, two of which have received a majority of all votes cast at the election and the other one received a majority of all votes cast at the election for legislative candidates. It may also be noted in this connection that, under the act of 1901, questions of public policy submitted to popular vote, are also printed on separate ballots.[43]

The Indiana or party-column form of ballot, as used in

[42] Constitution, article XIV, section 2.

[43] *Hurd's Revised Statutes*, chapter 46, sections 303, 429. Among the different forms of ballots used in Illinois elections are the following: men's general ballot

Illinois, tends to facilitate straight party voting. By placing a cross in the circle at the top of the party column, the voter may vote for all of the candidates of the party, thus avoiding the trouble and expenditure of time which would be involved in placing a cross in front of the name of each candidate for whom he wishes to vote. It is necessary for him to take this time and trouble, however, if he wishes to "scratch his ticket," or to exercise independent judgment in voting, except that where he wishes to vote for one or more candidates of a certain party, and, with these exceptions, to vote the straight ticket of another party, he may do so by placing a cross in front of the names of the one or more candidates and a cross in the party circle of the party for whose candidates he wishes, in the main, to vote.[44] Since a voter has a right to vote for the candidate of his choice and is not confined to those whose names are printed on the ballot, he may write in the name of his own candidate in a blank space on the ticket, and, by placing a cross in front of it have it count as a vote for such candidate.[45] If a qualified voter, by reason of illiteracy or physical disability, is unable to mark his ballot, he may be assisted in marking his ballot by two of the election officers, of different parties. In voting for representatives in the general assembly, the voter may cumulate or "plump" his votes, that is, he may divide his votes among candidates for representative as he sees fit, and may cast one vote for each of three candidates, three votes for one candidate, and one and one-half votes for each of two candidates, or one vote for one candidate and two for another.[46] In order to prevent illegal voting, each

for national, state, and local officers; women's separate ballot at general elections; separate ballot for proposed constitutional amendments and public measures; separate ballot for questions of public policy; judicial ticket for municipal judges in Chicago; party ballot in primary elections; women's primary ballot; presidential preference primary ballot; judicial ticket for supreme and circuit court judges.

[44] Constant *v.* Shockey, *259 Illinois,* 496.

[45] Pierce *v.* People, *ex rel., 197 Illinois,* 432; Sanner *v.* Patton, *155 Illinois,* 553; Fletcher *v.* Wall, *172 Illinois,* 426.

[46] People *ex rel. v.* Taylor *et al., 257 Illinois,* 192; People *ex rel. v.* Nelson *et al., 133 Illinois,* 565 (567-568).

party is allowed to have a challenger representing it at the polls.[47]

The polls are so arranged that the ballot may be marked in secrecy, and safeguards are provided to prevent undue influence or illegitimate pressure from being brought to bear on the voter to prevent him from exercising the free and untrammelled right to vote according to the dictates of his own conscience. Little is done by governmental action, however, positively to assist the voter to cast an intelligent ballot. In order to preserve the secrecy of the ballot, the canvassing boards and courts will ordinarily refuse to count any ballots which are marked in such a way as to distinguish them from others, so that a bribe-giver may be able to know that the votes which he bought were delivered. As a rule, however, the courts will endeavor to avoid disfranchising a voter on account of slight inaccuracies in his ballot, and will give effect, as far as possible, to the intention of the voter as expressed in his ballot, within the forms prescribed by law.[48]

Immediately after the polls are closed on election day, the votes are canvassed by the judges of election. The returns are delivered by such judges to the county clerk and transmitted to the secretary of state. The county clerk issues certificates of election to the candidates for county offices receiving the highest number of votes. The state canvassing board, consisting of the secretary of state and other state officers in the presence of the governor, canvasses the returns in the case of candidates for the higher offices, and the governor proclaims the result of the canvass. Election contests in the case of state executive officers are heard by the legislature in joint meeting. The two

[47] By an act of 1903, the use of voting machines at elections was authorized when adopted by the voters. The act has been declared not unconstitutional. Lynch *v.* Malley, *215 Illinois,* 574; People *ex rel. v.* Taylor *et al., 257 Illinois,* 192. In 1913 a legislative commission was named to investigate the Chicago voting machine contract and submitted two reports in 1915. The majority report advised the cancellation of the contract and the repeal of the voting machine law. It also stated that the machines were capable of being manipulated in a fraudulent manner.

[48] Pierce *v.* People *ex rel., 197 Illinois,* 432; Smith *v.* Reid, *223 Illinois,* 493; Winn *v.* Blackman, *229 Illinois,* 198; Tandy *v.* Lavery, *194 Illinois,* 372.

houses hear and determine contests of election of their respective members. The circuit court determines contests for judicial offices and the county court for local offices.[49]

The influence of the voters at the polls may be exerted not only in connection with the election of candidates and the passing upon proposed constitutions or constitutional amendments but also in connection with ordinary legislation. Several examples of referenda on ordinary legislation are provided for in the constitution. Thus, no debt can be contracted by the state in excess of a quarter of a million dollars, except in case of invasion, insurrection, or war; no act conferring banking powers upon corporations or associations can go into effect; and the Illinois and Michigan canal or other canal or waterway owned by the state can never be sold or leased unless approved by popular vote. No special act relating to the municipal government of Chicago can go into effect unless approved by the voters of that city; and no county can be divided nor the county seat changed unless the proposition is approved by the voters of the county. The proposition for contracting the debt mentioned above must be submitted at a general election and, in order to be approved, must receive a majority of the votes cast for members of the general assembly at such election. The referendum on conveying canal rights requires, for approval, a majority of all votes polled at the election. In the case of special legislation for Chicago, conferring banking powers and dividing a county, however, only a majority of the votes cast on the question is required.[50] In addition to the referenda required in the constitution, it seems probable that the general assembly may also, in its discretion, provide that the provisions of a law shall not go into effect in the state unless approved by the voters of the state, nor in a particular locality unless approved by the voters of such locality. Thus, the general assembly has provided for township or city local

[49] Misch *v.* Russell, *136 Illinois,* 22; County of Lawrence *v.* Schmaulhausen *et al., 123 Illinois,* 321; Kerr *v.* Flewelling, *235 Illinois,* 326.

[50] Constitution, article IV, sections 18, 34; article X, section 2; article XI, section 5.

option on the proposition of voting out the legalized sale of intoxicating liquor. Whether the proposition is to be submitted at a general or special election and what majority of the voters is necessary in order to approve the proposition are questions to be determined by the general assembly in the act providing for the referendum. The general rule seems to be that if a proposition is submitted at a special election, a majority of the votes cast upon the proposition is sufficient to carry it, but where a proposition is submitted to the voters at a general election it must receive a majority of all the votes cast at the election in order to carry, unless the statute providing for its submission specifies that a majority of the votes cast upon the particular proposition shall be sufficient. Under the latter arrangement, the measure is much more apt to carry, since many voters at a general election fail to vote either for or against a proposition. The device provided for under the act of 1899, already noted, whereby public measures submitted to popular vote are printed on a separate ballot, known as the "little ballot," also tends to increase the chances of securing a favorable vote on the proposition.[51]

In addition to the referendum there has also existed in Illinois since 1901 a public policy law which confers upon the voters a power somewhat analogous to the initiative in ordinary legislation as found in some other states. Under this law on a petition signed by twenty-five per cent of the voters of any political subdivision of the state or ten per cent of the voters of the whole state, it is the duty of the proper election officers in each case to submit any question of public policy so petitioned for to the voters of the subdivision or state respectively at any general or special election named in the petition. Not more than three propositions may be submitted at the same election.[52] The petition must be filed not less than sixty

[51] *Hurd's Revised Statutes,* chapter 43, section 25; People *ex rel. v.* Weber *et al., 222 Illinois,* 180; *Report of the Attorney-General,* 1912, p. 971. On this whole matter see Gardner, "Working of the State-Wide Referendum in Illinois," *American Political Science Review,* 5: 394-415.

[52] *Hurd's Revised Statutes,* chapter 46, section 428.

days before the election. The purpose of the law is to make it possible to secure an expression of public opinion as a guide to the general assembly in the enactment of laws. It does not follow, however, that because public opinion, as thus expressed, favors the enactment of a particular law, such law will necessarily be passed by the general assembly. There is no legal compulsion resting upon it to do so, and no pledge taken by the members of the legislature to vote in favor of such a law, and, in practice, most of the propositions favored by public opinion as expressed under the public policy law, have not been enacted by the general assembly. It should be added, however, that several public policy votes related to proposed constitutional amendments, and consequently could not have been enacted into law by the legislature.

Among the propositions which have received the approval of public opinion, as thus expressed, but which have not been enacted into law by the general assembly, are those for the popular initiative and referendum, a corrupt practices act, and a short ballot commission. Neither the referenda mentioned above nor the power of the people under the public policy law constitute a real initiative and referendum in ordinary legislation as found in Oregon and some other states, and there has been considerable agitation in favor of introducing in this state the Oregon system of direct legislation. A proposed question of public policy embodying this system was submitted to the voters of the state in 1902 and approved by a vote of 428,000 to 88,000. The proposition was again submitted in 1910 and approved by a vote of 448,000 to 128,000. These repeated indications, however, of considerable public opinion in favor of the proposition have thus far borne no fruit in actual legislation.[53]

A proposition was presented to the voters in 1910 under the public policy law to the effect that the next general assembly should "enact a corrupt practices act, limiting the amount

[53] The above figures take into consideration merely those who voted on the proposition. It should be noted that, in neither case, was the vote in favor of the proposition equal to a majority of all votes cast at the election.

a candidate and his supporters may spend in seeking office, and providing for an itemized statement under oath showing all expenditures so made, for what purposes made and from what source or sources received, thus preventing the corrupt use of money at elections." This proposition was approved by a vote of 422,000 to 122,000. The state platforms of both the leading parties have contained planks favoring the enactment of a corrupt practices law.[54] In 1913, Governor Dunne declared that "candidates have concededly spent in election contests more than twice the salary they could collect during the whole term of their offices;" and he recommended the passage of an act "which will limit, within reasonable restrictions, the expenditure of money during a political campaign, and compel the publication of all amounts collected and expended both before and after election."[55] The general assembly, however, has not yet passed the act suggested. By an act passed in 1917, however, it is declared unlawful, under penalty of fine or imprisonment and forfeiture of office for any candidate for elective office to make any promise or pledge to any person or organization to further the interests of such person or organization by his official action or lack of action if elected in exchange for support at the polls or financial assistance. Moreover, there are provisions in the election law against bribery and against electioneering at the polls, and in the civil service law against political activity on the part of civil service employees. The law against bribery, however, merely makes illegal the taking of bribes, and specifically provides that the bribe-giver shall not be liable to punishment.[56] This curious provision of the general election law is also found in the direct primary statute.

The large number of elections, both primary and general, held in Illinois places a rapidly increasing burden of expense

[54] *Chicago City Club Bulletin*, 3:370.

[55] *Inaugural Address of Governor Edward F. Dunne before the Forty-Eighth General Assembly*, 8.

[56] *Laws of 1917*, p. 455; *Hurd's Revised Statutes*, chapter 46, sections 83, 518 *Report of the Attorney-General*, 1912, p. 417.

upon the taxpayers. Governor Dunne declared in 1915 that "in the city of Chicago alone a single primary election costs $275,000 and a single final election $320,000," [57] and Governor Lowden declares that "the burden of expense which elections impose is becoming unbearable." [58] The Chicago Bureau of Public Efficiency, in a report made in 1912, pointed out that in the period from 1896 to 1912, the annual expenditures for election purposes in Chicago and Cicero increased from $288,-281.36 to $911,807.29, or more than three hundred per cent. In order to lessen election expenses the bureau recommends a reduction in the number of primaries and elections and urges especially that city and judicial primaries should be abolished.[59] Governor Dunne, in a special message to an extra session of the forty-ninth general assembly, quoted the estimate of County Judge Scully of Cook county that the total expense connected with the holding of elections in Chicago during the year 1916 would reach a total of $2,225,500. This included the expense of three primary elections, three final elections, and six registration days, including the canvass of precincts and revision of registration on separate days required by law after each registration. As a partial remedy for this condition, Governor Dunne advocated the consolidation of registration and primary days. The Legislative Voters League adopted resolutions in 1915 advocating elimination of the pre-presidential registration; substitution of district or ward registration for precinct registration for primaries; and combination of the presidential primary and the city and town elections.[60] Although a reduction in the number and expense is undoubtedly desirable and even imperative, nevertheless it is generally agreed that this should not be done in such a way as still further to confuse the issues and the voters in elections as might be the result if the presidential primary and aldermanic elec-

[57] *Biennial Message of Edward F. Dunne*, 7.
[58] *Inaugural Address of Governor Frank O. Lowden before the Fiftieth General Assembly*, 5.
[59] *Growing Cost of Elections in Chicago and Cook County*, 5.
[60] *Chicago Tribune*, December 16, 1915, January 12, 1916.

tions were combined. Much of the expense of elections could be saved in other directions, such as by combining certain local or nonpartisan elections in which the issues would not be greatly different, by the introduction of a system of permanent or central registration, and by abolishing the primary in certain cases and nominating candidates by petition.

As Governor Lowden pointed out in the inaugural address above mentioned, the expense of elections "is not the most important consideration. The lengthening of the ballot and the increasing frequency of elections are tending to defeat the very purpose of democracy." This is a serious danger and is directly due to the excessive number of elections and of elective officers. A committee of the Chicago City Club, in a report made in 1912, pointed out that the voter in Illinois is "called upon to make intelligently and conscientiously all the way from twenty-five (25) to fifty-five (55) separate decisions at the polls — to pass upon the qualifications of hundreds of men who aspire to many offices of diverse character."[61] The men's candidate ballot supplied to voters in Chicago at the general election of November, 1916, was three feet long and twenty inches wide and contained about 270 names arranged in six party columns. In addition, the voter was expected to vote the separate ballot for judges of the municipal court, containing the names of more than thirty candidates, and another so-called "little ballot," two feet long, containing five propositions — two city bond issues, park consolidation, banking law amendment, and tax amendment to the constitution.

During the year 1916 the voters of Chicago were expected to choose or to assist in choosing more than three hundred different elective officials. To inform himself adequately regarding the merits and qualifications of the multitude of candidates is a task which the ordinary busy citizen is unable to perform without assistance. The Chicago Municipal Voters League and the Legislative Voters League are organizations formed for the purpose of affording this assistance

[61] *Short Ballot in Illinois*, 7.

and of enabling the voter to cast an intelligent ballot.[62] Ordinarily, however, with regard to most of the candidates for minor and unimportant offices, the voter's only guide is the party label; and this circumstance tends to induce him in most cases to vote a straight party ticket by placing a cross at the top of the party column. Thus, in effect, he abdicates his supposed function of making an intelligent choice between candidates, and the real control rests in the hands of the party managers who draw up the party slate. The short ballot principle requires that the voter should not be expected to vote for petty officers, having merely ministerial duties, but only for a very few of the most important officers, who have some control over the determination of public policies. The introduction of the short ballot would not only enable the voter to vote more intelligently, but would also conduce to a better integrated administrative system.

The management of elections in Illinois is very largely decentralized; and the expense of holding election, even when state officers are chosen, is a charge upon the locality. The state as a whole, however, is interested in the efficient and orderly management of elections, especially where state officers are to be chosen. The question may, therefore, in the near future become acute whether, in all except purely local elections, the state should not assume at least part of the expense and undertake the administrative control or supervision of such elections.

[62] Jones, *Readings on Parties and Elections*, 321.

XVII. THE ENFORCEMENT OF STATE LAW

THE efficiency of law enforcement in Illinois is influenced by many factors, such as the character of the law, the nature of the conditions upon which the law is designed to operate, and the working of the machinery provided for its enforcement. The more nearly the laws express the opinion of the mass of the people, the more likely they are to receive that support of public opinion which is almost essential to their enforcement. If the population is fairly homogeneous, both the demands of public opinion for the enactment of laws and the support of such opinion in their enforcement is. other things being equal, more definite and certain than when the population exhibits a large degree of heterogeneity in race, color, and literacy. It is therefore of interest in this connection to note that, according to the United States census of 1910, over thirty per cent of the total population of Illinois are native whites of foreign or mixed parentage, over twenty-one per cent are foreign born whites and among Negroes the proportion of illiteracy is more than ten per cent. The foreign born and Negro population forms a considerably greater percentage of the total population in the cities than in the rural districts. From this great diversity in the composition and characteristics of the population upon which the laws are designed to operate, it results that the problem of efficient law enforcement is by no means a simple one.

The efficiency of law enforcement in the state is also influenced by the character of the machinery provided for such enforcement. In this connection it is to be noted in the first place that some dependence is placed upon private initiative to effect this purpose. Thus, the provision of the Illinois criminal code giving the heirs of a person who has been lynched

a right to an action for damages against the county or city in which the lynching occurred is an example of the utilization of private initiative for the purpose of coping indirectly with criminal lawlessness.[1] The abatement and injunction act of 1915 also invokes private initiative in law enforcement by giving to any citizen of a county in which a disorderly house exists a right to maintain a bill in equity perpetually to enjoin and abate such a nuisance.[2] Such organizations as the Anti-Saloon League, Law and Order League, Citizens' Association, and similar bodies are examples of private agencies organized, either primarily or incidentally, for the purpose of assisting in the enforcement of certain particular laws of the state.[3]

For the most part, however, dependence for law enforcement must, of course, be had upon the regular constituted officers and authorities established for that purpose, such as the governor, the courts, the militia, state and local commissioners and inspectors, the attorney-general, the states attorneys, sheriffs, mayors, constables, and police. These various officers do not constitute a unified department of justice for the state but merely a group of officers and agencies more or less independent of each other, between whom conflicts, friction, and lack of coöperation may and sometimes do arise. Thus, the enforcement of state laws is not infrequently impeded through the issuance of temporary injunctions by the courts. Conflicts may arise with respect to the enforcement of anti-liquor or anti-vice laws between the law-enforcing officers of a county and of a city located within the county, as well as between state and local officers. In Cook county there are about a score of district governing agencies, most of them being largely independent of each other. Under these circum-

[1] *Hurd's Revised Statutes,* chapter 38, section 256w.

[2] *Laws of 1915,* p. 372.

[3] In the forty-seventh general assembly a bill was introduced providing an extension of the *quo warranto* statute so as to allow any public law-enforcing official, for example a mayor, to be brought into court on application of a taxpayer and compelled to show cause why he should not forfeit his office for failure to enforce existing laws.

stances, conflicts between local law-enforcing officers, such as mayor and states attorney are the natural result, particularly when they belong to opposite political parties or factions. Under the cities and villages act, the mayor has the same authority as the sheriff to preserve peace and enforce order.[4] If there is an understanding as to a proper delimination of authority between these officers, this provision may work no harm; but on general principles it is not usually wise to intrust the same functions to be exercised by separate and independent officials in the same territory. The result of such a provision may sometimes be that responsibility is divided, and an opportunity is afforded whereby local officials may engage in the unedifying pastime of "passing the buck" in an attempt to shift responsibility for lawless conditions.

Dependence in the first instance for the enforcement of state law rests upon local officers, sheriffs, constables, states attorneys, mayors, and police. Direct action by state authorities takes place ordinarily only when local authorities fail or are unable to cope with the existing lawlessness. In legal theory, sheriffs, states attorneys, and police are state officers;[5] but, for practical purposes, they bear more nearly the character of local officers, because they are, for the most part, subject to local control only. Under these circumstances, such officers are naturally influenced in enforcing state law by public sentiment in their respective localities; and if such sentiment is very strongly opposed to a particular state law, that law is not likely to be very strictly enforced. Thus the system of depending upon local officers for the enforcement of state law may bring about a species of extralegal home rule in the localities. The exercise by localities within the state of the dispensing power may result in the practically open defiance of state law. In 1874, the Chicago city council repealed the Sunday closing ordinance which Mayor Medill had attempted to enforce. This action of the council was a virtual notice

[4] *Hurd's Revised Statutes*, chapter 24, section 21.
[5] City of Chicago *v.* Wright, *69 Illinois*, 318 (326).

to the state that there was no intention on the part of the city government to enforce the state law in that city. The council flung down the gauntlet to the state, but the challenge was not accepted, and the state has weakly contented itself with a policy of inaction, neither repealing the law nor providing any effective means for its enforcement. What virtually amounts to a referendum on the question of the enforcement of the state law requiring the closing of saloons on Sunday has been afforded in recent mayoral campaigns in Chicago, for certain candidates have virtually pledged themselves to disregard this law if elected. A former mayor of Chicago has publicly declared that during more than twenty years while he and his father occupied the mayoral chair of Chicago, they had both construed the Sunday closing law in that city as a dead letter, believing that their attitude represented the majority sentiment of the community.[6] Practically, therefore, the state law was nullified, and an extralegal form of local option or home rule was afforded the city with respect to this law.

Several years ago, States Attorney Healey of Cook county attempted to enforce this law and tried many cases, but was unable to secure a single conviction because the juries either disagreed or acquitted the defendants in the face of almost conclusive evidence. In this, as in many other cases, the jury system has operated as an effective barrier to prevent the enforcement of a state law in a community to the majority of whose people the law is obnoxious. The effectiveness of the jury system as a weapon of defense against the enforcement of a state law, which is obnoxious to a particular locality, is especially noteworthy in Illinois, on account of the antiquated provision that, in criminal cases, the jury shall be the judge both of the law and the facts. In this connection, it may be noted that the injunction and abatement law enacted in 1915 derives much of its effectiveness from the fact that it dispenses with the necessity for jury trial in cases involving the suppres-

[6] *Chicago Tribune,* October 18, 1915.

sion of disorderly houses and substitutes therefor the action of the equity branch of the courts.[7]

The nonenforcement of state law in particular localities may sometimes be brought about not only through the practical dispensing power of local officers in regard to such law or through the failure of juries to convict, but also through the formal action of local units of government. Thus, in December, 1911, the people of Springfield voted on the question of Sunday closing of dramshops on a referendum provided under the commission form of government act. By a vote of two to one they formally decided that the Sunday closing ordinance should not be enforced in that city. On the day after the election the *State Register* said: "By a decisive vote the four ordinances submitted to the will of the people were defeated yesterday . . . . by the voters *who are the supreme authority of this municipality.*"[8] This statement, while seeming to ignore the legal supremacy of the state over the municipality, is doubtless to a certain extent in accordance with conditions which frequently exist.

With respect to state laws the enforcement of which in certain localities is opposed by a considerable element of the population therein, the state might adopt one of three possible courses: first, repeal the laws by formal legislative action, or secondly, allow the localities, in a regular and legal manner, the option as to whether or not such laws shall be enforced within their boundaries, or, thirdly, retain the laws upon the statute books, but provide adequate machinery for their enforcement.[9] The old saying, attributed to General Grant, that the way to secure the repeal of an obnoxious law is to

[7] *Hurd's Revised Statutes,* chapter 38, section 431; *Laws of Illinois,* 1915, p. 371, upheld as constitutional by the decision in People *v.* Smith, *275 Illinois,* 256. A bill was introduced in the fiftieth general assembly providing for the removal from office of any county or municipal officer for misfeasance, malfeasance, or nonfeasance through the filing of a petition in the circuit court by the attorney-general, states attorney or by any five qualified electors of the county, but it failed of passage.

[8] *Illinois State Register,* December 15, 1911. The italics are mine.

[9] Mathews, "Law Enforcement and Home Rule," *Proceedings of the Third Annual Convention of the Illinois Municipal League,* 43-54.

enforce it rigidly does not apply to a situation where a law is obnoxious to some localities only, but the power of repeal can not be exercised except by the authority of the entire state. On the other hand, formal repeal of such laws is seldom seriously considered as a practical measure, partly because this would constitute a tacit admission of the state's inability to enforce them with the existing machinery, and partly because such action would be distasteful to the large number of people who still desire to retain such laws on the statute books as a matter of principle.

The second possible course of action with regard to the enforcement of state laws, that of local option, represents an effort to adjust such laws to the sentiments and wishes of the majority of particular localities. In practice local option does not, of course, imply that certain state laws may be suspended in particular localities (though the result is practically the same), but that the law as applied to certain political subdivisions may be altered by a vote of the people of such subdivision. Under the cities and villages act the city council in the cities and the president and board of trustees in villages have the option of licensing, regulating or prohibiting the sale of intoxicating liquor within their jurisdictions. This, however, gave the people of such subdivisions no power of directly deciding by vote the question of license or no license. In 1907, however, this power was extended to the voters of any town, precinct, city, or village. The law requires that, upon the filing of a petition signed by at least one-fourth of the legal voters of such political subdivision who voted at the previous election, the question of prohibiting the sale of intoxicating liquor shall be submitted at the next election, and if the majority of the voters voting on the proposition vote "yes," the political subdivision becomes anti-saloon territory, in which the issuance of licenses for the sale of intoxicating liquor becomes illegal. As a result of the operation of this law, a considerable portion of the territory of the state has become "dry," but the largest cities, such as Chicago, Peoria, and East

St. Louis, still remain "wet." Some question may arise as to what local subdivisions should be given the power of deciding this question. The anti-saloon forces have advocated that the law be changed so as to provide for county option. Some persons even advocate state wide prohibition by state authority, but public opinion does not appear to be ready to sanction this extreme step. In 1913, however, the legislature enacted the "four-mile law," which prohibits absolutely the sale, keeping for sale, distribution, or delivery of any intoxicating liquor within four miles of the main campus of the state university. No special state machinery, however, was provided for the enforcement of the law.[10]

In the case of a number of state laws, experience has shown that the placing of dependence entirely upon local officials for their enforcement almost inevitably results in lax or non-enforcement in many localities. In 1894, Governor Altgeld, in protesting against the action of President Cleveland in sending federal troops into this state to enforce federal law, maintained that such action was a violation of the fundamental principle of local self-government. Opposition to state interference in the localities to enforce state law has sometimes been based on the same ground. Local sentiment does not readily tolerate complete state centralization of law enforcement in the localities. It seems evident, however, that for the regular and permanent enforcement of state law, some state machinery of enforcement is needed in addition to the power of the governor to call out the state militia. If the state is in earnest in the enforcement of its laws, it is practically necessary in many cases that the state should definitely assume the responsibility for such enforcement by providing some special machinery to that end, preferably of an extra-local or state character. Such special machinery has to some extent been supplied in Ilinois. By an act of 1905 to "suppress mob violence," it was provided that a county or city shall be liable

[10] *Hurd's Revised Statutes,* chapter 24, section 62, paragraph 46; *ibid.,* chapter 43, section 25 was upheld as constitutional in People *v.* McBride, *234 Illinois,* 146; *Laws of Illinois,* 1913, p. 306.

in damages to a person, or his legal representative, who has been injured therein in person or property by mob violence.[11] Thus there is the possibility of a civil suit for damages against the local political subdivision with the resulting possibility of an increase in the tax rate, in addition to the possibility of a criminal prosecution. Although this act has been invoked on several occasions, it is doubtful whether it has had any very appreciable effect in deterring acts of violence.

A somewhat more important provision is contained in another section of the same act, which provides that if a prisoner is taken from the custody of a sheriff and lynched, the governor is authorized by proclamation to declare the office vacant and the coroner immediately succeeds thereto.[12] The principle of administrative control embodied in this act represents a step in the direction of greater efficiency in law enforcement, but the operation of the principle is narrowly restricted, for the superior administrative control is not capable of exercise in a general way but only under a given set of circumstances which is of comparatively rare occurrence.

The constitution imposes upon the governor the duty of taking care that the laws are faithfully executed, but he is vested with comparatively little control over the officers upon whom he must largely depend for the execution of the laws.[13] The governor, however, as the most conspicuous officer in the state, can occasionally accomplish something in the direction of law enforcement through the publicity which attaches to his words and actions. Governors of Illinois have not infrequently written public letters to sheriffs calling upon them to remedy or prevent lawless conditions in their counties and thereby calling public attention to such conditions. If the

[11] *Hurd's Revised Statutes,* chapter 38, sections 256v, 256w. This act supplemented the somewhat similar act of 1887, under which it was held that the city is liable for damages even when unable to prevent the violence; City of Chicago *v.* Sturges, *222 United States,* 313.

[12] The sheriff may be reinstated upon showing that he did all in his power to protect the prisoner. This act was attacked on the ground that the legislature had no power to authorize the governor to remove an elective officer, but it was upheld as constitutional by People *v.* Nellis, *249 Illinois,* 12.

[13] Article v, section 6.

governor is the recognized leader of his party in the state and the sheriff belongs to the same party, the directions of the governor will naturally have an added effect. Ordinarily, however, the sheriff may ignore with impunity the instructions of the governor.

The authority of the governor in securing the enforcement of the laws rests, in last resort, upon his constitutional position as commander-in-chief of the state militia, consisting of all able-bodied male citizens of the state between the ages of eighteen and forty-five, with a few exceptions. The militia is partly organized into a "National Guard," but the governor may, by proclamation, call out the unorganized militia and organize it. In exercising his control over the organized militia, the governor ordinarily acts through the adjutant general, who is appointed by him. The purposes for which the governor may call out the military forces of the state are to execute the laws, suppress insurrection, and repel invasion. Under the bill of rights of the constitution, the military power is required to be in strict subordination to the civil power, and, in insuring this condition, the legislature has provided that when the military forces are ordered out on the application of the sheriff or other civil officer, they shall report to and act in subordination to such civil officer as the governor may designate. Such subordination, however, consists only in obeying the orders of the civil authority as to the objects to be attained and not as to the methods to be employed in attaining such ends.[14]

In practice, the militia is utilized as a law-enforcing agency only on extraordinary occasions, such as where the local authorities are unable to cope with the lawless element in the community. In considering the power of the governor to enforce the dramshop act, Attorney-General Stead held in 1905 that "The enforcement of police law does not belong to the Governor, as the chief executive officer of the State, but belongs to the officers elected for that purpose in conformity with the

[14] *Hurd's Revised Statutes*, chapter 38, section 256m, chapter 129, sections 3, 207.

provision of the Constitution. The Constitution does, however, contemplate that when the regular administration of the law through the courts of justice is interrupted by violence or civil commotion the Governor may, by the military arm of the government, enforce the law. Until such event occurs the law is enforceable in the regular way, through the courts, and the Governor has nothing to do with its enforcement except where that duty shall be especially enjoined upon him, either by the Constitution or by some statute."[15] The power of the governor to call out the militia, however, may be exercised in his discretion whenever in his judgment the occasion demands it even though he has not been requested to do so by the sheriff or other officer. In practice, however, the governor does not usually call out the militia except in response to a request from the regular law-enforcing officers. Attorney-General Stead, in the opinion cited above, also intimated that the constitution and statutes do not contemplate any interference on the part of the governor if local officers should merely refuse or neglect to enforce the law, but only where civil commotion renders them unable to enforce it. There would seem to be no question, however, as to the governor's power to interfere in either case for the purpose of enforcing the law through military force.

The use of the militia, as a law-enforcing agency has often been of great value in protecting life and property. Experience in other states has shown, however, that there might be some advantages in retaining the militia as a reserve force to be used in the national defense and creating an additional agency of a more permanent, regular, and professional character to assist, supervise, or displace local authorities in the enforcement of state laws. The need of such a permanent agency or force was illustrated in 1917 by the disturbances incident to the race riots in East St. Louis. This need has also become more acute on account of the mustering of the

[15] *Report of Attorney-General of Illinois*, 1905-1906, p. 371-372; *Report and Opinions of Attorney-General*, 1913, p. 81-83; City of Chicago *v.* Chicago League Ball Club, *196 Illinois*, 54.

state militia into federal service for war purposes.[16] In other states, attempts have been made to secure better law enforcement either by the creation of a state constabulary primarily for the purpose of enforcing state law in the rural districts, or by the establishment of state supervision of metropolitan police forces.

An important and forcible recommendation for the establishment of a state constabulary was made by the grand jury which investigated the East St. Louis riots, as follows: "We recommend to the governor and state legislature of Illinois that, in order to be on constant guard against such disasters, there be established by law a state police force or constabulary, partly mounted, and that this police force be a permanent body of 1,000 or more trained policemen on constant duty, to be moved in sections from one place in the state to another to enforce all law. If a portion of this constabulary were brought from a distant part of the state, they would not be affected by local prejudices and opinions. Each of these state constables should be given all the powers throughout the state that the sheriff of the county has in his own county and police of every section of the state under the direction and authority of his honor the governor." [17]

In the cities, the feeling in favor of the maintenance of the principles of home rule is probably stronger than in the rural districts; and moreover the cities are usually better policed by their local constabularies than are the rural districts. The principle of home rule requires that the city police should be appointed, officered, and governed by local authorities. To the extent that the functions of the city police consist in the enforcement of local ordinances, there is no demand that the principle of home rule should be infringed. But city police are also charged with the enforcement of state laws. The

[16] An act of the fiftieth general assembly authorizes the governor to organize volunteer companies to constitute a reserve militia. See *Laws of 1917*, p. 782. In pursuance of this authorization, Governor Lowden issued in September, 1917, a proclamation calling for six thousand volunteers. *Chicago Herald*, September 20, 1917.

[17] *Ibid.*, August 15, 1917.

latter functions might be transferred to state controlled agents if experience shows that the locally controlled police cannot be depended upon to perform them, or else the city police might be placed under state supervision. The state might set up a standard of efficiency for municipal police forces and exact a penalty from those cities whose forces fall below that standard, while granting aid to those whose forces meet or surpass such standard. For a short time during the Civil War, the police of Chicago were under state control. From time to time since then, as in 1897 and 1913, bills have been introduced in the general assembly, providing for the establishment of a state board of police commissioners to control or supervise city police forces, but have failed of passage. In calling the special session of 1897–1898, Governor Tanner stated that one of the measures which the legislature should take up was an act establishing metropolitan police boards in cities of over one hundred thousand population, in other words, a state police board appointed by the governor, which would control the police department in Chicago. The governor stated that he included the subject of a police board because he wanted to see the police force of Chicago taken entirely out of politics. To many persons, however, this seemed to be a move to transfer the control of the Chicago police from the dominant party in the city to the dominant party in the state. It was attacked as weakening the municipal civil service system and as being a violation of the principle of home rule, and was finally allowed to drop.[18]

In 1913, another attempt was made to take the police department of Chicago out of the hands of the mayor and the city administration through a bill providing a state board of police commissioners for cities having a population of more than one hundred thousand. The members of the commission were to have complete control of the city police department and were to be appointed by the governor for three-year terms. The act was not to go into effect with respect to any city, how-

[18] *Laws of 1861*, p. 151; *Chicago Tribune*, December 4, 1897.

ever, except after a referendum vote of the qualified voters of the city. In describing the purpose of the bill, the author, Senator Clark, said: "My bill is modeled after the present Massachusetts law. You don't hear of police scandals in that state. You do not hear, as in Chicago, that because some lawbreaker in a ward is protected by an alderman or a political boss a policeman refrains from arresting him and a police captain hesitates to enforce the law. We have got to take the police department of Chicago out of politics if we expect to have an efficient force."[19] The measure, however, failed to become a law. Another bill was introduced in the fiftieth general assembly in 1917 providing for the establishment of a state police department to be under the management of a board of four commissioners of state police, to be appointed by the governor. In enforcing state laws, the department was to have the same powers as sheriffs, police, or constables. This bill was backed by the Chicago Law and Order League and was designed to furnish a means whereby the governor may take a hand in a local situation involving vice, gambling, and liquor law violations when the states attorney, sheriff, or mayor fails to act. It, however, also failed of passage.

The problem of the efficient enforcement of state law in the localities of Illinois is still largely unsolved. The generally law-abiding character of the people and a conservatism about entering upon governmental experiments have hitherto prevented any very determined steps toward its solution. As the problem becomes more acute, however, it will doubtless become necessary for the state authorities and the people to apply more thought to this problem and resolutely take such steps as may be adequate to meet it. Such progress in this direction as has already been made in Illinois, as well as the experience of other states, indicates that the most effective means available to this end will consist in the establishment of central administrative agencies, not only for the supervision of local law-enforcing officers, but also for the direct enforcement of state law.

[19] *Chicago Record-Herald,* January 13, 1913.

XVIII. THE PANIC OF 1893 AND THE BANKS

THE prosperity of the people of Illinois received a severe shock in 1893 when a general crisis interrupted the financial, commercial, and industrial development of the state. Probably in no state in the union were the effects of this panic more far-reaching, and certainly in no city were they attended with more suffering than in Chicago. Any account of the industrial and financial progress of the state during this period must therefore begin with this event.

The causes of the panic of 1893 were deep-seated and complex and must be sought in national and even international events, running back at least as far as 1890. But back of all contributary factors lay the fundamental cause of all panics —unwise speculation—and in this the west shared largely. A decade of unexampled prosperity and expansion had tempted to unwise investment and extravagant expenditure. The storm had been sown and the whirlwind was now reaped. As the financial, commercial, and industrial development of Illinois had been especially rapid during the previous period, so now the people were called upon to pay in equal measure.

The panic was precipitated, as is not uncommon in such events, by the failure of a few large institutions. In Chicago the first shock came with the failure of the Chemical National Bank of that city, with a capital of $1,000,000, which closed its doors on May 9, and was followed two days later by the Columbia National Bank of Chicago, with a similar capitalization.[1] The smaller cities of the state were less affected than Chicago, though other failures which occurred during this month were those of the Evanston National Bank, with a capital of $100,000, and the First National Bank of Kankakee,

[1] Conant, *History of Modern Banks of Issue*, 674.

with a capital of $50,000, but the latter was restored to solvency before the end of the year.[2] These suspensions were followed by the collapse of three private banks. On June 5 there occurred a run upon a number of savings banks of Chicago, involving eight state banks. In order to reassure the public as to the solvency of the state banks the auditor at once ordered these institutions to furnish and publish statements of their condition on the morning of June 5. These statements showed that the banks were sound and prevented the further spread of the panic at this time.[3] As the savings deposits in forty-four state banks at this time totaled about twenty million dollars, and as these banks were at the same time conducting a commercial banking business, it is clear that any wholesale withdrawal of these deposits would have affected seriously the condition of the banks throughout the state.

In May the panic became acute and spread over the whole country. The stock market experienced a severe crash in that month, but a more serious one occurred in July. Money rates rose to abnormal heights and many holders of securities were forced to unload at low prices. The situation was aggravated by the banking practice of the time, according to which the reserves of the country banks were heaped up in New York City. In order to protect themselves the interior banks began to call in their deposits in cash from New York and other reserve cities. While the New York City banks lost heavily, the country banks, as in 1873, positively increased their cash holdings. Though the banks of Chicago experienced some loss, they were able by calling in their loans to increase slightly the proportion of cash to net deposits.[4] Thus the loans of the Chicago national banks were reduced $4,000,000 between March 6 and May 4. Between May 4 and July 12 loans were reduced from $96,000,000 to $82,000,000, the net deposits from $99,600,000 to $81,300,000, and the cash reserves from

[2] *Report of the Comptroller of the Currency*, 1893, 1:75-76.
[3] *Auditor's Report*, 1895, p. x.
[4] Sprague, *History of Crises under the National Banking System*, 174.

$29,300,000 to $24,900,000; but the ratio of reserve to liabilities was raised slightly from twenty-nine and four-tenths to thirty and six-tenths. By October 4, the loans had been still further reduced to $73,500,000. Contraction in loans by the banks was a general and striking feature of this panic. Between May 4 and October 4 the loans of all the national banks in the United States were reduced fourteen and seven-tenths per cent, but the reduction of the Chicago banks during this period was twenty-six and seven-tenths per cent.

During the first eight months of 1893 twenty-four banks other than national were reported by the comptroller to have failed in Illinois; of these one was a mortgage and investment company, with assets of $50,000 and liabilities of $70,000, and twenty-three were private banks with assets of $4,041,027 and liabilities of $5,056,813. No state banks, savings banks, or trust companies went down in this period. During the year September 1, 1893–August 31, 1894, only four bank failures were reported in the state; these were all private banks, with assets amounting to $423,000 and liabilities of $534,000.[5]

One cause of banking failures was the distrust of the banks and the withdrawal of deposits by frightened depositors. In not a few instances country banks were forced to suspend at a time when their own cash reserves were on the way to them from the reserve city banks.[6] The wholesale withdrawal of their cash reserves by western institutions so depleted the eastern banks that by the end of June these were forced to issue clearing house certificates. This had been done in 1873 and 1884, but was now resorted to on a much larger scale. The cities of New York, Boston, Philadelphia, Baltimore, and Pittsburg issued a total of $63,152,000 during the year 1893.[7] "Chicago, however, where a strong local prejudice exists

[5] *Report of the Comptroller of the Currency*, 1893, 1:209.

[6] Noyes, "The Banks and the Panic of 1893," *Political Science Quarterly*, 9:18. Mr. Noyes argued that if the western and southern banks had kept their own cash reserves they would in most cases have been able to maintain their solvency.

[7] *Report of the Comptroller of the Currency*, 1893, 1:16.

against the plan, refused to follow."[8] To be sure the Chicago clearing house had authorized on July 26, for the first time in its history, the issue of clearing house loan certificates,[9] but no bank availed itself of their use.

"The result," wrote A. D. Noyes,[10] "was exactly what might have been foreseen. In the Eastern cities the use of loan certificates so far offset the violent shrinkage in reserves, that between May 4 and July 12 the loan account of the New York national banks actually increased; the loans of Philadelphia were cut down only two per cent, and those of Boston only four per cent. But Chicago, lacking the emergency provision of the Eastern clearing houses, was forced to reduce its loans no less than fifteen per cent.[11] In a city where local enterprises were already inflated by speculation incident to the World's Fair, the result of this contraction was a collapse more violent than that of any other large commercial centre."

While they did not resort to the use of clearing house certificates the Chicago banks endeavored to strengthen their reserves by the direct importation of gold from abroad. "Instead of disposing of commercial bills to foreign exchange houses in New York, they were used to secure gold in London, which was shipped directly to the various banks engaging in the operation."[12]

These heavy imports of gold were also in part due to the low prices of wheat and the consequent large export of wheat and flour. On January 2, 1894, number 2 red winter wheat sold at 65.5 cents, against 79.75 cents on the same date in 1893, and 104.75 cents in 1892. In some parts of the west farmers

[8] Noyes, "The Banks and the Panic of 1893," *Political Science Quarterly*, 9:21.

[9] Cannon, "Clearing Houses," *Senate Documents*, 61 congress, 2 session, number 491, p. 121.

[10] Noyes, "The Banks and the Panic of 1893," *Political Science Quarterly*, 9:22.

[11] The contraction of loans in Chicago was far more violent in July and in August, dates not covered by the national reports. The Chicago banks publish no statements, except when called for by government authorities.

[12] Sprague, *History of Crises under the National Banking System*, 194.

sold wheat as low as thirty-five cents a bushel.[13] The already low prices were aggravated by the collapse of the Chicago wheat corner in August, 1893, which let prices fall below the lowest previous record. Another Chicago corner, this time in provisions, run by the same parties as that in wheat, collapsed with the failure of the clique, and brought the prices of hog products down to a level almost as low as that of wheat, leading to large exportation of these also.[14]

Not only were foreign exchanges interfered with, but the domestic exchanges also were thoroughly disorganized; and exchange on New York was at a discount in Chicago during all of August, reaching $30 per one thousand on August 12. "Chicago packers and grain shippers," announced one of the leading financial journals,[15] "selling to interior eastern points, having been unable to sell their New York exchange, are ordering the currency to pay for stuff shipped direct by express, thus doing away with banks."

The effects of the crisis upon the industries of the country were soon evident. Railway gross earnings showed a loss for July and continued to register losses during the rest of the year. The general situation, which was typical of Illinois, was described as follows in the *Chronicle:*[16]

"The month of August will long remain memorable as one of the most remarkable in our industrial history. Never before has there been such a sudden and striking cessation of industrial activity. Nor was any section of the country exempt from the paralysis; mills, factories, furnaces, mines nearly everywhere shut down in large numbers, and commerce and enterprise were arrested in an extraordinary and unprecedented degree. The complete unsettlement of confidence and the derangement of our financial machinery, which made it almost impossible to obtain loans or sell domestic exchange, and which

[13] *Financial Review,* 1894, p. 3.

[14] Pierce, "A Review of Finance and Business," *Bankers' Magazine,* 48: 184, 185.

[15] *Bradstreet's,* 21: 511.

[16] *Commercial and Financial Chronicle,* 56: 466.

put money to a premium over checks, had the effect of stopping the wheels of industry and of contracting production and consumption within the narrowest limits, so that our internal trade was reduced to very small proportions — in fact was brought almost to a standstill — and hundreds of thousands of men thrown out of employment."

The production of both coal and iron, usually considered the barometers of trade, showed marked declines; the output of pig iron in Illinois fell off more than one-half from 949,450 long tons in 1892 to 405,261 in 1893.[17] New railway construction almost ceased, that for the year 1893 being only 2,549 miles for the whole United States, and 78 for Illinois. One-fourth of the capitalization of the railways in the country was in the hands of receivers, among which were several roads which served Chicago, as the Erie, Northern Pacific, and Union Pacific. The railways situated within the state of Illinois, however, fared rather better than the average in this respect, for while the dividends paid by all railroads in the country fell off $324,731 below those of 1892, those in Illinois increased somewhat.[18]

Another trustworthy index of the prosperity or depression of a period is the number of business failures. There was a fifty per cent increase in the number of failures between 1892 and 1893 — from 226 to 566 — in the state of Illinois, which was about the same rate as in the country as a whole. But the growth in the amount of liabilities was startling — from $2,651,638 to $18,777,462. Against the liabilities, however, were listed assets of $20,358,615, which was a better showing than that made by any other state except Wisconsin, and much better than that for the country as a whole. Most of these failures occurred in mercantile and commercial enterprises rather than in manufacturing establishments.[19] The following table gives the statistics of business failures in Illinois from 1893 to 1916:

[17] *Financial Review*, 1894, p. 5.
[18] *Poor's Manual*, 1895, p. xiv.
[19] Report of R. G. Dun and Company, quoted in *Financial Review*, 1894, p. 18.

BUSINESS FAILURES IN ILLINOIS, 1893–1916 [20]

YEAR	Total		Manufacturing		Trading		Commercial		Banking	
	No.	Liabilities	No.	Liabilities	No.	Liabilities	No.	Liabilities	No.	Liabilities
1893.....	566	$18,777,462	181	5,926,196	343	$10,101,492	42	$ 2,749,774	*	*
1894.....	717	8,042,159	202	3,981,279	493	3,543,880	22	517,000	5	$ 1,477,187
1895.....	856	14,198,887	241	8,330,479	602	5,678,008	13	250,400	2	145,651
1896.....	1,130	22,191,489	313	9,266,572	798	7,901,117	19	5,023,800	25	16,681,951
1897.....	903	11,193,538	218	5,415,900	658	4,246,548	27	1,531,090	11	2,914,800
1898.....	981	13,067,105	229	4,328,387	696	4,419,818	56	4,323,900	9	1,226,214
1899.....	909	13,376,063	233	4,697,070	587	3,365,049	89	5,313,944	6	631,600
1900.....	1,063	14,021,808	264	5,012,403	762	3,883,449	97	5,125,956	12	4,211,000
1901.....	1,201	11,083,922	313	4,185,733	724	3,622,619	164	3,275,570	6	362,270
1902.....	1,138	11,531,614	356	4,867,977	593	3,091,937	189	3,571,700	6	1,263,000
1903.....	1,127	20,308,007	445	7,181,226	539	9,439,585	143	3,687,196	5	383,486
1904.....	916	11,949,148	235	1,820,500	609	5,292,148	72	4,836,500	4	39,400
1905.....	770	6,678,106	258	2,582,900	468	2,606,138	44	1,489,068	7	1,565,645
1906.....	893	18,406,935	247	4,143,300	586	2,702,235	60	11,561,400	14	5,120,900
1907.....	835	8,832,684	252	5,170,800	553	2,303,484	30	1,358,400	2	477,767
1908.....	1,142	18,541,519	318	5,957,500	776	10,388,419	48	2,105,600	6	2,315,768
1909.....	1,063	10,170,640	287	4,362,999	742	4,260,792	34	1,582,849	3	172,506
1910.....	922	9,853,086	267	5,644,034	607	3,672,902	48	536,150	10	838,000
1911.....	1,040	15,059,243	317	8,030,112	673	5,396,534	50	1,632,597	2	303,000
1912.....	933	9,172,010	250	3,519,411	631	4,540,981	52	1,111,618	7	331,200
1913.....	1,081	20,468,397	325	8,784,263	696	5,322,231	60	6,361,903	6	564,254
1914.....	1,306	24,797,612	364	12,721,291	869	8,457,783	73	3,618,538	27	10,906,000
1915.....	1,517	19,100,428	353	8,661,257	1,087	7,666,197	77	2,772,974	3	560,671
1916.....	1,091	12,273,118	281	4,334,792	750	4,164,251	60	3,774,075	6	1,284,000

[20] Compiled from reports of R. G. Dun and Company.

* Included in previous columns.

The crisis of 1893 was followed by a prolonged period of depression in the industrial, commercial, and financial world, which continued until 1898. The number of business failures continued to increase until they reached their climax in 1896. After this they remained upon a permanently higher level, due to the growth of the business activities within the state.

The year 1894 saw no such buoyant reaction from the panic of the previous year as was hoped might assert itself. Instead, it was filled with disturbing events which served only to deepen the gloom. Perhaps the most important obstacle to a business revival was the state of the national finances.[21]

Doubt as to the ability of the government to maintain the gold standard affected foreign trade adversely and halted business recovery at home. Another disturbing element was the necessity of reforming the tariff. All these general influences were felt in Illinois as elsewhere in the country. There were others, however, more local in their operation, which affected conditions in this state more directly.

Manufacturers, menaced by the proposed reduction of import duties and a shrinking demand, curtailed production or in some instances closed their factories. The production of the mines fell off. Railway traffic and freight receipts declined, and new construction ceased. This meant a lessened demand for rails and structural iron and the steel manufacturers reduced their output. Thus a vicious circle of lessened demand and reduced supply was created which reacted severely upon the wage earners.

With the failure of so many businesses many persons were thrown out of work, and the problem of the unemployed soon became a serious one. Unemployed operatives crowded the

[21] Extravagant expenditures — a legacy from a more prosperous period — and the reduction of revenue left the treasury with insufficient funds for ordinary expenses. It, therefore, drew upon the gold reserve fund, which had been set aside for the redemption of the greenbacks. But at the same time there was a large export movement in gold — $81,200,351 net in 1894 — most of which was also drawn from the dwindling treasury reserve. This created an impossible drain which was met from the sale of bonds by the federal government to a total amount for the year of $100,000,000.

streets of the cities demanding work or food, while other laborers from farm and mining districts flocked to the towns and added to the distress there. In no city was the suffering greater than in Chicago, where the boom period of the World's Fair had attracted a large number of workers, who now were left by the prostration of the city's industries without employment or the prospect of any. Relief agencies came promptly and nobly to the rescue and did much to alleviate the general distress, but it was long before a full resumption of activity restored industry to a condition of prosperity and gave to labor opportunity for legitimate employment.

Labor troubles arose out of the depression in trade, and in turn operated to intensify that depression. Such disorders generally follow financial collapse and industrial prostration, as had been the case in 1873 and 1884. But in 1894 there were times when the industrial unrest assumed almost the proportions of anarchy. In April a strike of the bituminous coal miners in the middle states occurred against a reduction in wages and was joined in by between one hundred and fifty and two hundred thousand men before it was ended in June. Meantime it resulted in such a lack of fuel that many industrial establishments were forced to shut down, and even the railroads in some instances found it difficult to run their trains.[22]

This was but a prelude, however, to the bitter and historic railway strike which occurred in June and July of this year. Beginning with a demand on the part of the employees of the Pullman Palace Car Company for a restoration of wages, the strike soon spread to all railways handling Pullman cars, under the direction of the American Railway Union. Interference with mail cars soon led to the intervention of the federal government and the use of armed troops. The strike was finally broken and the men returned to work defeated.[23] But the social, political, and industrial effects of these weeks of strife were felt for years afterwards.

[22] *Financial Review*, 1895, p. 1.
[23] See above, chapter VIII.

In addition to trade depression, tariff legislation, and labor troubles, the year 1894 was one of agricultural disaster to the country as a whole. The corn crop of the United States was only 1,200 million bushels, as against 1,600 in 1892 and 1893, and 2,000 in 1891. Illinois, however, was more fortunate than its western neighbors, Iowa, Kansas, and Nebraska, where the crop was almost a total failure, for its yield increased over the two previous years though it did not approach the banner record of 1891.[24] The wheat crop was exceptionally large for 1894, being over double what it was in 1893 and almost up to the record yield of 1891, but unfortunately the price fell to abnormally low levels owing to bumper crops in Europe, and wheat sold for only forty-three cents a bushel on the farm, which is the lowest price ever recorded by the state board of agriculture. This was less than corn brought during certain months of the year. The crop of oats was exceptionally large and brought fair prices.[25]

The shortage of crops throughout the country, even though not so marked in Illinois, affected the railways, the warehouses, and the milling interests adversely; in all of these respects Illinois suffered. The receipts of grain at Chicago fell off from 222,870,166 bushels in 1893 to 168,575,748 in 1894, the greatest decline being in corn. Flour and pork receipts also showed a decline, though the number of live hogs and cattle somewhat increased. On the whole, however, there was a decrease in the shipments below those of 1893 and even more decidedly below those of 1891 and 1892. The production of pig iron increased from 405,261 long tons in 1893 to 604,795 in 1894, but this latter figure was lower than any of the three previous years.[26]

A perusal of contemporary financial and trade journals leaves a strong impression that the most potent influence operating to retard a complete resumption of normal economic

[24] *Report of the Commissioner of Agriculture,* 1893, 1894.

[25] *Statistical Report of the Illinois Board of Agriculture,* August 1, 1915, p. 4; *Farmers' Bulletin,* 1894.

[26] *Financial Review,* 1896, p. 27, 64.

activities was the uncertainty which still prevailed as to federal financial and monetary legislation. While the administration, by the bond syndicate loan of 1895, had shown its determination to maintain the gold standard at all hazards, the year 1896 witnessed a determined assault upon this standard by one of the political parties. Not until a further loan of $100,000,000 had placed the national finances and the gold reserve upon a safe basis, and the election in November had definitely and finally decided the question as to the maintenance of the gold standard, did the country begin to recover from the depression which characterized these years.

An even more fundamental factor in determining the prosperity of an agricultural state like Illinois was the well-being of the farmers. Large crops, especially of corn, were obtained in both 1895 and 1896, but this advantage was offset by ruinously low prices. The prices obtained in 1896 for corn (17 cents per bushel) and for oats (13 cents) were the lowest ever recorded in the fifty-eight years from 1860 to 1917, and that for wheat (48 cents) was the lowest with one exception in this period.[27]

Iron production for 1895 had shown a sixty per cent increase over the low output of 1894 and was maintained during 1896 almost at the high level of the previous year, but here too prices were unsatisfactory and were downward until toward the end of the year, when there was a marked revival. The following year (1897) saw the production of pig iron in Illinois raised to the highest amount yet recorded, namely, 1,117,239 long tons. This was in spite of a serious strike of the coal miners during the summer, not only in this state but also in Indiana, Ohio, and western Pennsylvania, which engaged altogether about 150,000 men. Prices remained steady. Each successive year now saw a new record of production established, the output being as follows in long tons:

[27] *Statistical Report of the Illinois Board of Agriculture,* August 1, 1915, p. 4-5, December 1, 1915, p. 5.

PRODUCTION OF PIG IRON IN ILLINOIS

Year	Number tons	Price at Chicago	
		Local No. 2 [28]	Charcoal pig iron [29]
1893	405,261	$12.80	$16.15
1894	604,795	10.56	14.68
1895	1,006,091	11.80	13.85
1896	925,239	11.64	13.62
1897	1,117,239	10.68	13.00
1898	1,365,898	11.32	11.58
1899	1,442,012	18.40	19.81
1900	1,363,383	19.47	21.94
1901	1,596,850	15.38	17.50
1902	1,730,220	20.86	23.50
1903	1,692,375	19.25	22.13
1904	1,655,991	14.37	15.50
1905	2,034,483	17.65	18.00
1906	2,158,866	20.43	20.71
1907	2,457,768	24.50	26.56
1908	1,691,944	17.57	20.24
1909	2,467,156	17.49	19.50
1910	2,675,646	17.09	18.66
1911	2,108,002	14.83	16.94
1912	2,887,359	15.32	16.74
1913	2,927,832	15.85	16.50
1914	1,847,451	13.60	15.60
1915	2,447,220	14.01	16.13
1916	3,922,512	20.26	21.33

The year 1897 may be said to have witnessed the end of the long period of business depression and the beginning of an upward swing which continued for practically a decade, not only in Illinois but in the country at large. The movement thus begun was accelerated in the following year. For this improvement the *Commercial and Financial Chronicle* held the following causes responsible: "(1) Further victories for sound money, (2) good crops, (3) unprecedented exports of merchandise, and (4) a successful foreign war."[30] While these were not all equally important in Illinois, the first two

[28] Local number 2, at Chicago, per gross (long) ton, from *Statistical Report of the American Iron and Steel Institute*, 1914, p. 91.

[29] Prices of Lake Superior charcoal pig iron at Chicago. *Ibid.*, 93.

[30] *Financial Review*, 1899, p. 1.

were of undoubted influence in promoting a spirit of confidence and in providing a substantial basis for expansion. A series of lean years in the production of corn came to an end in 1898, and an even longer period of unprofitable crops ended in 1900 in the case of wheat and oats, the three principal grain crops in Illinois. Since that time there has been no year in which the farmers of Illinois as a group have not made a substantial profit from the production of corn and oats, and only three years (1903, 1905, and 1912) in which the wheat crops resulted in failure and consequent loss.[31]

Another index of increasing prosperity and financial growth is furnished by statistics of bank clearings.[32] Statistics of crops and of iron production supply evidence of the strength of the fundamental basis of industrial expansion, but bank clearings are perhaps a better test of trade activity. Chicago passed Philadelphia in 1890 in the volume of bank clearings, and Boston in 1892, and since that time has ranked second to New York except in the years 1895, 1896, 1897, and 1899. The following table shows their amount:

CHICAGO BANK CLEARINGS (000,000 OMITTED)

1893	4,677	1906	11,047
1894	4,315	1907	12,088
1895	4,615	1908	11,854
1896	4,413	1909	13,782
1897	4,576	1910	13,940
1898	5,517	1911	13,926
1899	6,612	1912	15,381
1900	6,800	1913	16,073
1901	7,756	1914	15,693
1902	8,395	1915	16,199
1903	8,756	1916	20,542
1904	8,990	1917	24,975
1905	10,142		

[31] *Statistical Report of Illinois Board of Agriculture,* August 1, 1915, p. 4-5, December 1, 1915, p. 5.

[32] In the account of banking which follows the author wishes to acknowledge the valuable assistance derived from *State Bank in Illinois since 1863,* prepared by Mr. William H. Dreesen as master's thesis at the University of Illinois in 1916.

The bank clearings in the eight next most important cities in the state serve to emphasize the financial supremacy of Chicago, for they total only about $647,000,000 as compared with Chicago's $24,975,000,000 for 1917. Peoria showed a steady growth until 1912, since which time there has been a serious though fluctuating decline. A fairly steady development is evidenced by the transactions in Springfield, Rockford, Quincy, and Bloomington, but the three remaining cities, Danville, Decatur, and Jacksonville, have remained practically stagnant. The bank clearings in these cities for the last few years are shown in the following table:

BANK CLEARINGS IN ILLINOIS CITIES OTHER THAN CHICAGO (000 OMITTED)

Year	Peoria	Springfield	Rockford	Bloomington
1909	145,848	46,093	33,824	26,024
1910	156,462	51,929	39,994	30,963
1911	161,238	53,861	40,747	33,805
1912	173,022	58,749	43,603	35,780
1913	162,337	58,607	50,197	37,578
1914	171,022	59,288	48,630	35,978
1915	155,071	59,089	47,425	37,072
1916	205,262	77,797	61,085	44,996
1917	252,310	97,904	83,187	59,891

Year	Quincy	Decatur	Danville	Jacksonville
1909	27,888	21,553	.....	14,429
1910	30,428	24,627	23,174	15,864
1911	34,082	22,900	21,728	15,488
1912	35,936	25,276	22,600	14,241
1913	42,016	27,148	24,621	17,205
1914	43,856	24,920	24,426	15,791
1915	40,476	22,324	25,579	14,206
1916	56,701	34,946	30,323	18,245
1917	59,120	43,592	30,328	21,859

The same forces which have given to Illinois and to Chicago, as its leading city, their commanding rôle in the commercial and industrial development of the central west, have also

centered here the financial and banking power of this section. Chicago now ranks second only to New York City as a financial center in the United States. National banks, attracted by the opportunities for profit in a rapidly expanding commonwealth, have steadily grown in numbers and magnitude. State banks have shown an even more noteworthy development, which may be attributed to excellent banking laws and adequate supervision. Only in the case of private banks has there been cause for criticism, and this is even now being removed.

The history of banking in Illinois since 1893 contains little of new legislation, but is rather one of achievement under existing law. Necessarily therefore the story is one of the establishment of new institutions and the development of old ones, as shown by statistics of growth in numbers, capital, loans, deposits, and other indices of banking power. Were the inner meaning of these figures revealed it would constitute a record of the agricultural, commercial, and industrial development of the state, for all these branches of activity have drawn as it were their very life blood from the financial institutions. To the integrity, the far-visioned faith, and withal the reasoned restraint of Illinois bankers is due much of the economic advance of the past twenty-five years.

During the years of depression following the panic of 1893 the condition of the banks in Illinois was stagnant, though their reputation for soundness was maintained,[33] but after about 1898 there was a steady and healthy expansion of banking. In 1893 there were in the state 212 national banks with a capital of $38,195,000 and deposits of $104,833,000; the state banks numbered 117 with combined capital and surplus of $23,296,-

[33] In the eight years following the panic of 1893 only two national banks in the state failed. These were the Second National Bank of Rockford and the National Bank of Illinois of Chicago, both of which failed in 1896. The state of Illinois has an excellent record in this regard, as only four national banks have failed in Chicago in the thirty-seven years from July 1, 1880 to June 30, 1917. During the same period in the whole state only fourteen national banks failed, with a combined capital of $4,113,500. The loss to depositors amounted to thirty-two hundredths of one per cent, which was the lowest of any state in the union. *Report of the Comptroller of the Currency,* 1914, 2:114; 1917, p. 70, 76.

213 and deposits of $91,410,394; while the private banks were reported as 123, with capital of $3,769,308 and deposits of $10,481,511. These last figures were probably too low, but if they are accepted at their face value there was a combined banking capital of $65,260,000 in some 450 banks, with total deposits of $216,725,000. By 1914 the corresponding figures were as follows:

Kind of bank —	Number	Capital	Deposits
National	471	$ 76,190,000	$ 585,039,000
State	786	88,422,000	535,877,000
Private	224	4,223,000	28,271,000
Total	1,481	$168,835,000	$1,149,187,000

One movement that made for better banking throughout this whole period was the organization of the Illinois State Bankers' Association, formed in 1890. There was consolidated with it in 1894 the Private Bankers' Association, which had been organized as a separate body in 1891.[34] The bankers' association now consists of national, state, and private bankers. It has from the beginning of its existence been a strong factor in improving banking practice, in maintaining high ideals, and in urging legislation to promote these standards. It has generally taken an unequivocal stand on the monetary and financial problems which confronted the American people and always on the side of sound money and good banking. On the subjects of free silver and the gold standard, which agitated banking and financial circles during the last decade of the nineteenth century, they passed strong resolutions. At their annual convention on June 14, 1894, they declared themselves opposed to free silver. Two years later they announced themselves unalterably in favor of maintaining the gold standard, a declaration which they repeated in 1899.[35]

[34] "Banking and Financial Items," *Bankers' Magazine*, 49:66.
[35] *Ibid.*, 51:69; 53:559.

The tendency toward consolidation was evidenced in the banking world about 1900, just as it was in commerce and industry. Here it was restrained by positive law, however, which prevented the elimination of the small bank with limited capital, even in the largest cities. The prohibition of branch banking in the United States has prevented the development of great central institutions, but a consolidation of smaller banks in the cities into single large and strong institutions has frequently taken place. The growth of small banks in towns and villages was directly encouraged by the federal act of March 14, 1900, which permitted the organization of national banks with a capital of $25,000 in places with a population not exceeding 3,000. Between the date of the passage of this act and October 31, 1902, there were organized in Illinois 66 national banks, of which 49 had a capital of less than $50,000, showing a rapid increase of the smaller banks. Four of these were state banks which reorganized as national banks. During the fourteen years ending in 1914 some twenty-four state banks changed to national associations or were consolidated with them.[36]

Another effect of the act of March 14, 1900, was to increase greatly the amount of bank notes issued by the national banks. The circulation in Illinois doubled in one year, increasing from $7,000,000 in 1899 to over $13,000,000 in 1900.[37] This was needed by the expanding industry and commerce of the state. Much more important for this purpose, however, has been the expansion of bank deposits which furnish a credit currency more in demand in American commercial and banking practice. The expansion of banking interests in Illinois is clearly indicated in the following table, in which the mere growth in number and capital is far exceeded by the other items. Not only has the average bank grown in magnitude, but it has to an even greater extent expanded

[36] *Auditor's Report*, 1900-1914, *circa* p. xi or xii.

[37] *Bankers' Magazine*, 64:653. In the United States as a whole the rate of increase was even greater, being over $100,000,000 in the two years following this act.

its operations and thus proved of value to the community it served.

NATIONAL BANKS IN THE STATE OF ILLINOIS (000 OMITTED)

YEAR	Number national banks	Loans	Deposits	Circulation	Capital	Surplus	Profits
1889.....	188	$112,814	$ 93,600	$ 4,665	$30,899	$10,765	$ 4,689
1890.....	192	122,750	102,696	4,821	31,222	12,195	5,203
1891.....	202	138,984	116,861	5,170	36,976	14,940	5,368
1892.....	211	159,821	131,589	5,350	39,946	16,167	6,326
1893.....	212	116,522	104,833	5,844	38,195	17,926	5,444
1894.....	217	137,637	118,328	5,914	28,491	17,751	4,643
1895.....	220	144,398	114,974	6,258	38,671	16,954	5,139
1896.....	221	127,366	103,544	6,649	39,221	16,118	5,073
1897.....	221	133,697	118,727	6,101	37,476	14,925	4,826
1898.....	218	156,709	140,942	6,782	36,946	16,004	5,097
1899.....	217	187,234	168,306	7,036	35,711	16,007	5,960
1900.....	240	209,108	181,866	13,728	37,733	15,925	7,393
1901.....	255	250,384	217,929	17,420	39,154	15,830	9,344
1902.....	276	282,007	238,459	14,315	44,930	19,423	9,229
1903.....	304	282,912	241,755	17,567	47,390	21,523	10,962
1904.....	324	300,150	258,032	19,047	48,811	22,289	10,572
1905.....	346	329,642	276,382	21,658	48,709	22,405	11,446
1906.....	373	336,117	289,773	27,964	49,841	25,109	10,332
1907.....	395	368,472	301,530	29,034	54,571	29,345	12,873
1908.....	410	366,756	310,226	31,602	56,233	31,075	14,523
1909.....	419	403,082	353,494	36,737	58,728	31,630	13,255
1910.....	432	445,063	374,082	41,634	71,880	37,908	12,692
1911.....	437	475,748	297,098	39,435	74,785	42,171	11,095
1912.....	448	498,385	427,865	39,891	75,440	43,572	12,320
1913.....	459	513,648	415,022	42,270	75,777	44,848	15,406
1914.....	465	506,711	436,670	63,270	75,830	45,624	18,951
1915.....	470	542,056	474,793	40,217	76,105	45,747	18,612
1916.....	471	649,850	585,039	28,364	76,190	46,073	19,361

Few events have caused serious disturbance in banking circles during the period since 1900. The effects of the panic of 1907 were felt for some time, but Illinois banks suffered no serious reverses. There were no receiverships during 1907 and not a single national or state bank closed its doors.[38] Dur-

[38] *Auditor's Report*, 1908, p. xii.

ing the ten years from 1905 to 1914 some sixteen state banks went into the hands of receivers, but the biennial reports of the auditor give no information as to the settlement of the affairs of the banks.[39] It may be concluded, however, that the failures of the state banks have probably not involved their depositors in any greater loss than in the case of failed national banks.

That the state banks have given satisfaction to the people is shown by the fact that these have passed the national banks in the state in number, in loans and discounts, and in capital stock. Not only has the increase in the total number of state banks been more rapid than that of national banks, but even in the case of those state institutions with a capital large enough to permit their incorporation as national banks the growth has been more rapid. If for instance the number of state and national banks with a capital of $50,000 and over be compared, it appears that in 1888 the former were about one-sixth as numerous as the latter (29 to 182), in 1899 about one-third (69 to 217), and in 1909 about two-thirds (187 to 294).[40] There are obviously certain reasons operative in Illinois which make the incorporation of banks under the state laws more profitable or desirable than under the national banking system.

The national banks enjoy certain advantages in the monopoly of note issue, which has been highly profitable since 1900, and in the wider credit they enjoy, which makes them more desirable in communities with far-reaching commercial and financial connections. On the other hand the state banks possess the power to loan on real estate, which is particularly valuable in developing agricultural communities. Accordingly, a larger concentration of the national banks is found in the cities, where there is not so much desire to effect real estate

[39] Usually the report contents itself with the statement "no report made," which refers to the biennial period covered. When the receiver's report is finally received it is not given by the auditor. See auditor's report for any year *circa* p. xi-xiv.

[40] Barnett, *State Banks and Trust Companies since the Passage of the National-Bank Act*, 221.

loans but where the wider credit of the institutions would be of value, while the state banks are widely scattered throughout the small towns and rural communities.[41] A considerable part of their business is with farmers and owners of agricultural land. Another advantage which state banks in Illinois possess over national banks is the lower reserve requirement, which is particularly important in the development of the savings bank business.[42]

There has been little banking legislation enacted in Illinois since the passage of the bank act of 1887, but a few amendments have from time to time been made to that measure, designed to strengthen some of its provisions.[43] The passage of the federal reserve act has brought about some changes in the national banks, but affected the state banks only slightly for two or three years. After the declaration of war against Germany in 1917, however, a large number of state banks entered the federal reserve system in order that they might be of greater service to the federal government in its enormous credit and loan operations.

The following table, giving the essential facts in the development of the state banks, shows a steady and healthy but never an abnormal expansion. No sign is here to be found of unhealthy speculation or wildcat banking, but rather the growth of an institution which was proving itself of real service to the community.

[41] The majority of the small banks are state institutions, while the majority of the large banks are national. Thus in 1909 the situation was as follows (*ibid.*, 231):

NUMBER OF STATE AND NATIONAL BANKS IN ILLINOIS, 1909

Capital	National	State
$ 25,000 and less than $ 50,000	125	232
50,000 " " " 100,000	158	110
100,000 and over	136	77

[42] See below, p. 419-420.

[43] *Laws of 1897*, p. 88; *Laws of 1907*, p. 53.

STATEMENT OF ILLINOIS STATE BANKS [44] (000 OMITTED)

YEAR	Number state banks	Loans and discounts	Deposits other than savings	Capital	Surplus	Undivided profits
1893.....	125	$ 62,118	$ 55,325	$18,497	$ 5,406	$ 3,821
1894.....	128	76,308	61,604	18,082	5,949	3,943
1895.....	136	99,447	65,213	18,814	7,136	3,524
1896.....	138	76,755	58,160	18,919	7,740	3,729
1897.....	142	82,866	76,138	18,970	8,019	3,652
1898.....	140	86,389	66,156	16,673	7,079	4,032
1899.....	151	117,674	71,467	17,722	7,463	4,830
1900.....	155	127,556	81,448	18,357	7,164	6,098
1901.....	169	150,825	88,514	20,950	9,769	5,335
1902.....	205	188,351	98,092	31,365	13,321	5,367
1903.....	252	211,721	138,352	36,695	15,991	7,703
1904.....	285	228,521	138,832	38,950	16,788	8,844
1905.....	321	307,091	162,025	40,190	18,274	10,236
1906.....	353	329,329	163,222	42,980	19,620	11,152
1907.....	392	353,862	239,362	50,770	22,410	13,029
1908.....	425	316,004	236,258	53,295	25,359	12,970
1909.....	461	364,578	275,468	55,708	26,633	11,491
1910.....	505	402,387	281,950	59,668	31,368	18,754
1911.....	561	459,487	333,784	67,523	34,140	15,177
1912.....	618	512,654	349,969	76,879	36,808	16,566
1913.....	684	540,951	357,943	82,769	43,058	16,749
1914.....	752	538,235	367,147	87,171	46,559	18,754
1915.....	769	577,836	446,301	88,513	51,497	16,475
1916.....	786	658,726	535,877	88,422	52,012	19,616

Provision had been made by law in 1887 for the establishment of trust companies, but for a decade their growth was very slow. By 1898 only eleven companies had qualified under the act to execute trusts. Ten of these were located in Chicago and one in Quincy. The annual examinations showed the companies to be in a satisfactory condition.[45] When the trust companies began to develop their discount and deposit business and to invade the field of banking immediate protest was made by the bankers, especially by those in the larger cities; and restric-

[44] Compiled from biennial reports of the auditor of public accounts.
[45] *Auditor's Report*, 1898, p. xii.

tive legislation was urged, some even going so far as to suggest that the trust companies be taxed out of existence. Bankers contended that the trust companies were not authorized nor qualified to engage in the banking business. One cause of complaint against the trust companies was that they were not required by law to keep on hand the twenty-five per cent demanded of the reserve city banks, and that many of them maintained a cash reserve much smaller than this, but put large sums on deposit with the national banks, where it earned carrying charges and still remained a security at once available.[46] The national banks in particular felt this as a grievance.

Trust companies have a decided advantage over banks organized under either state or national law in being able to combine with their banking business a trust business. Such an institution may exercise a wide range of powers, such as receiving valuables for safe-keeping, caring for property intrusted to them, managing estates, making investments, giving financial and legal advice, assisting in the preparation of wills and executing them after the decease of the customer.[47] In the larger cities, as Chicago, there has been a rapid growth of these institutions, and their development in the smaller cities as well may be expected.

The trust companies have shown a very rapid growth in number, but much more significant is the extraordinary expansion in business which these institutions have attracted. Some notion of their development may be gained from the figures published by the comptroller of the currency, though these represent returns from only about two-thirds of the loan and trust companies in the state. These are given for the last few years in the table on the following page.[48]

Private banks have flourished most in the middle west and in no state more than in Illinois. Here there has been a steady growth in numbers, but a decline in the average cap-

[46] *Chicago Banker*, 3:129; 6:3.
[47] Herrick, *Trust Companies*, 32.
[48] Compiled from the annual reports of the comptroller of the currency.

ital.[49] It would seem, therefore, that the private banks have filled a place from which the national banks were barred by reason of the larger capital necessitated by law, and one which even the state banks have not filled. In the thirty-two-year

Loan and Trust Companies in Illinois (000 Omitted)

Year	Number reporting	Loans and discounts	Aggregate resources	Deposits	Capital
1910.....	43	$257,366	$471,655	$364,780	$35,700
1911.....	44	262,164	509,584	382,008	32,000
1912.....	46	318,201	578,494	435,420	39,225
1913.....	53	332,290	579,206	438,233	40,650
1914.....	56	331,397	601,013	456,651	41,425
1915.....	54	336,715	619,647	457,622	41,875
1916.....	56	415,065	736,237	561,497	42,432

period from 1877 to 1909 the number of private banks in Illinois trebled, increasing from 282 in the first year to 441 in 1888, to 599 in 1899, and to 823 in 1909.[50] These institutions fall into two distinct classes, according to the functions they fulfill. In the large cities they are organized by brokers as adjuncts to their business, and in the small agricultural communities they furnish the needed credit facilities which national and state banks provide in larger places. The chief characteristic of private banks of both classes is their small capital, and they would undoubtedly prefer to operate without incorporation as long as the amount of capital which can find profitable employment in a given community is smaller than the minimum required for a state or national bank. In the following table are given the statistics furnished by the auditor concerning private banks:

[49] According to returns made to the internal revenue officials in 1882 the average capital of private banks in the middle western states was under $20,000. According to returns made to the national monetary commission in 1909, it was $11,000 in the same section. Most of them had between $10,000 and $15,000.

[50] Barnett, *State Banks and Trust Companies since the Passage of the National-Bank Act*, 208.

ILLINOIS PRIVATE BANKS (000 OMITTED)

YEAR	Number	Loans and discounts	Deposits	Capital stock paid in
1892	149	$15,225	$14,857	$4,600
1893	123	10,924	10,482	3,769
1894	112	10,194	10,692	3,792
1895	154	14,010	14,802	5,034
1896	109	8,715	7,902	3,194
1897	108	7,603	7,158	3,049
1898	119	9,386	10,445	2,781
1899	100	6,806	8,926	1,845
1900	135	9,830	12,944	2,392
1901	157	12,177	16,298	2,703
1902	178	18,453	23,174	3,408
1903	168	18,000	23,069	2,851
1904	132	12,298	14,887	2,189
1905	180	22,216	25,596	3,864
1906	125	13,312	15,686	2,419
1907	157	20,045	24,381	3,448
1908	157	20,723	24,863	3,440
1909	420	46,490	28,127	7,325
1910	200	22,810	26,223	3,809
1911	246	27,993	24,803	5,134
1912	259	30,847	26,516	5,861
1913	235	31,711	26,653	4,493
1914	224	28,008	28,271	4,223

The table concerning private banks in Illinois, though of interest, is unquestionably far from exact. It would indicate, for instance, that during the past five years there were on the average only two private banks in each county, whereas it is a matter of common knowledge that there are more. In 1892, according to the comptroller's report, there were only 149 private banks in the state, but when the Private Bankers' Association of Illinois was formed that same year they reported that there were 500 private bankers in the state.[51] For the year 1909 the comptroller took his figures from the report of the national monetary commission, according to which there were 420 private banks with loans and discounts amounting to $46,489,546. Both the number of banks and their re-

[51] *Bankers' Magazine*, 46: 659.

sources as thus reported were more than double the same items as reported by the auditor for the years preceding and following. Undoubtedly the figures for 1909 are the more nearly exact. And finally a very careful count of all the private banks in the state, by townships, was made in 1915 by the legislative reference bureau, which enumerated 586, or more than double the number reported by the auditor. Of these forty-seven were located in Chicago.

Efforts have been made from time to time to secure the passage of a law requiring reports from and examinations of these private banks, but until 1917 without success.[52] The demand was strongest in the cities and especially in Chicago where the evils of unregulated banking were most keenly felt, but was successfully resisted by the interests in the rural districts and particularly in the southern section of the state. Here the private banks had been honestly and efficiently managed and had met the banking needs of communities which probably could not afford to support banks with the minimum capital required by state and national law.

The movement to bring the private banks under the same sort of regulation and supervision that have served to give security and standing to the national and state banks grew stronger with the passage of time. It finally culminated in 1917 after both parties had pledged themselves to some sort of reform of existing abuses, and Governor Lowden demanded such legislation in his inaugural address and again in a fiery message in the midst of the ensuing legislative session.[53] The measure passed the senate by a vote of 37 to 6, and the house 99 to 42, receiving the governor's approval on June 22, 1917. In accordance with the constitution this act will be submitted for popular referendum in November, 1918.

There are no special laws governing savings banks in the state of Illinois, and banks organized under the general laws may carry on a combined commercial and savings business or

[52] *Bankers' Magazine*, 45:706.
[53] *Chicago Tribune*, January 9, May 10, 1917.

may be conducted as savings banks only. Private banks and loan and trust companies, as well as national and state associations, may receive savings deposits. In 1893 the savings deposits in forty-four state banks totaled a little over $19,000,000, and in 1899 had reached only $55,000,000 in forty-six banks. Since 1900, however, the growth in savings deposits has been very rapid, due largely to the increasing prosperity of the people. In 1912 over half of the state banks — 371 out of 618 — held savings deposits, which aggregated $278,047,586. The auditor reported two years later that thirty-five out of every one hundred inhabitants of the state had a savings account, whose average amount was $281.50.[54]

Loan and trust companies rank next to state banks in favor as depositories for the savings of the citizens of Illinois, having almost doubled such deposits in the past five years. As reported to the comptroller of the currency they increased from $121,000,000 in 1911 to $233,000,000 in 1914, but fell off slightly the following year.

A considerable number of national banks — 196 in 1911 — also maintained savings departments, for which accurate data are available in the comptroller's reports. Unofficial and incomplete statistics of savings deposits in private banks are also published in the same reports. And to these there should be added, since their establishment in 1910, the deposits in the postal savings banks. The available data on these various institutions for the last few years are presented in the following table:[55]

[54] *Auditor's Report,* 1914, p. xv.

[55] Compiled from the annual reports of the comptroller of the currency. Faulty as the statistics presented undoubtedly are, they yet show an impressive volume of savings, which amounted in the year 1915 to over $500,000,000 or about $94 per inhabitant. But they would certainly be much larger if provision were made by law for the organization of mutual savings banks, such as exist in other states. Over half of the savings deposits in the United States as a whole are made in mutual savings banks. Out of a total of $6,972,069,227 on June 4, 1913, the following amounts were deposited in the institutions specified (000,000 omitted): state banks, $636.9; mutual savings banks, $3,768.9; stock savings banks, $744.5; loan and trust companies, $970.9; private banks, $26.4; national banks, $824.5. *Report of the Secretary of the Treasury of the United States,* 1913, p. 455.

SAVINGS DEPOSITS IN ILLINOIS INSTITUTIONS

YEAR	Loan and trust companies	National banks	State banks	Private banks	Postal savings banks
1910....	*	$32,325,077	$229,127,316	*	*
1911....	$120,955,194	33,887,112	256,206,543	$8,579,805	*
1912....	212,564,356	45,653,424	278,047,585	8,954,191	*
1913....	216,644,432	*	*	9,139,066	$2,862,889
1914....	232,509,371	44,053,228†	289,765,206	4,968,991	3,596,470
1915....	218,314,439	46,794,810†	295,279,038	5,215,718	4,952,414
1916....	232,882,021	103,854,000†	326,156,217	5,878,106	5,991,844

* Not reported. † Time certificates of deposit, payable after thirty days.

The statistics of savings bank deposits in Illinois do not by themselves afford an adequate picture of the annual savings of the mass of the people, for other institutions, like building and loan associations, have served as agencies for the accumulation of small sums. These associations have always been popular in this state, though for a decade after 1895 they suffered somewhat of a decline from the high water mark of that year. Illinois ranks fifth among the states of the union in the total assets of these associations. Their growth is indicated in the following table:

BUILDING AND LOAN ASSOCIATIONS

YEAR ENDING	Number	Total receipts	Total assets
December 1, 1895.....	726	$46,306,970	$ 82,639,259
" 1900.....	572	33,290,363	47,896,148
" 1905.....	505	29,603,620	42,897,267
" 1910.....	540	42,948,481	63,200,355
" 1915.....	635	63,961,568	98,390,668
" 1916.....	649	70,704,218	105,478,403

In this brief review there is recorded a growth not merely in the financial institutions which have been described, but in the wealth and resources of the people of Illinois. It is an impressive showing, and becomes the more so when one reflects that this financial strength is the result of only a century's growth. Toil, and self-denial, and wise investment lie at the basis of this development, as indeed they do of the economic progress of the state in all lines.

XIX. STATE FINANCES

IT WAS the famous French minister Turgot who originated the epigram *pauvre peuple, pauvre royaume,* which today may be translated "if the people are poor the state will be poor." The state finances of Illinois accordingly reflect in a measure the economic condition of the people, swelling to large proportions in times of prosperity and shrinking again under the chill winds of adversity. This is more true of taxes, which come directly out of the pockets of the taxpayers, than of expenditures, which are often light-heartedly voted in the face of an impending deficit. It is proverbially easy to spend other people's money.

But the parallelism is not close. The household of the state is on a stable basis and taxes are collected in bad years as in good. There are to be found in the state finances, therefore, fewer of the ups and downs which are characteristic of the income and expenditures of the average business man. On the other hand there has been a pretty steady and recently a startlingly rapid growth of both sides of the budget. The state of Illinois enjoys a patrimony — the wealth and productive power of its people — which expands progressively and yearly permits the development of new activities and the expansion of the old. The figures in which these services are expressed are indicative of the economic development of the state along all lines of private as well as public activity.

The finances of the state were adversely affected by the panic of 1893 and the resulting depression, and for several years showed the effect of smaller valuations on the assessment lists. From the high water mark of $5,854,269 receipts from the general property tax in 1891–1892, the revenue from this source fell off sharply by $1,000,000 the following bien-

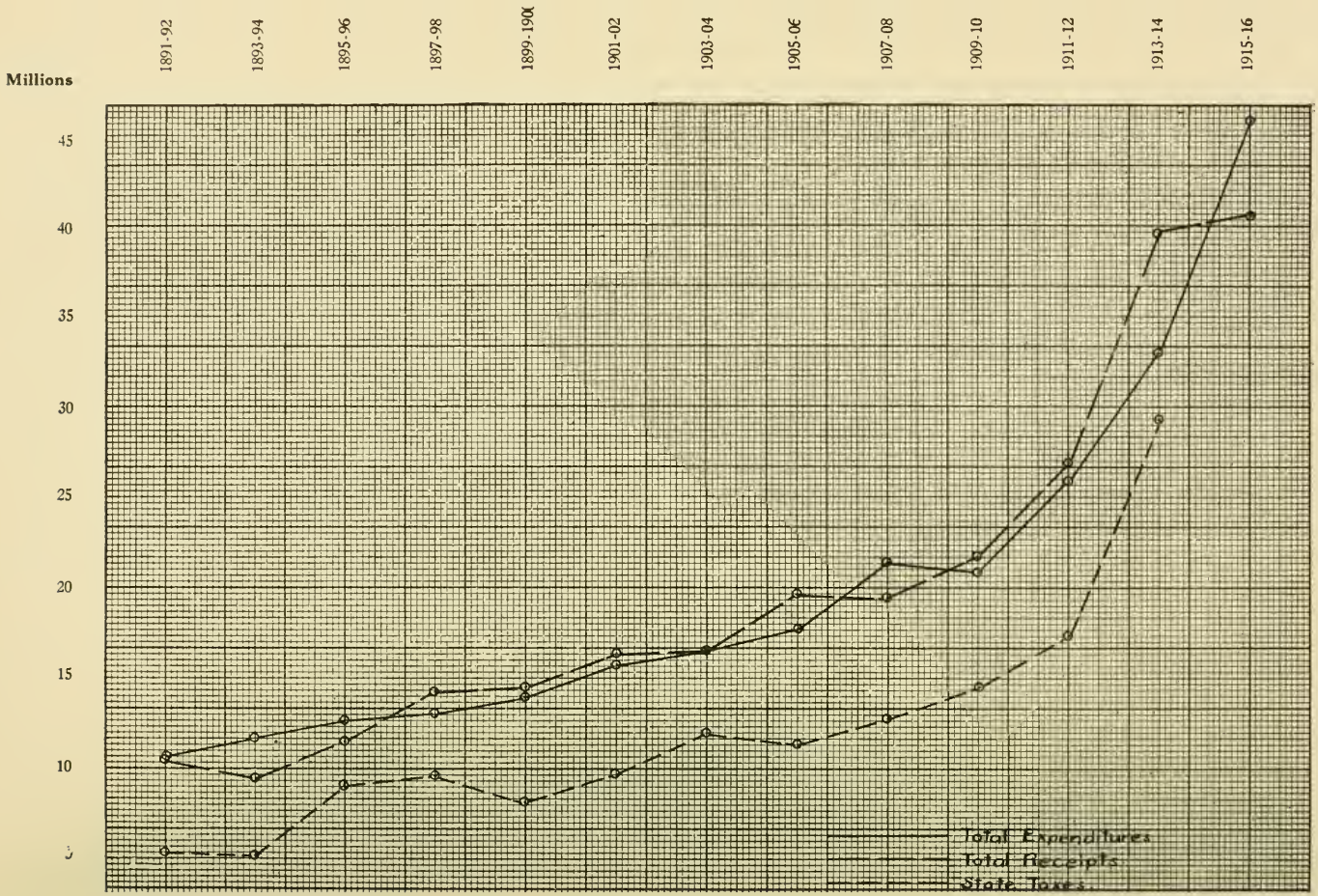
nium. And as the disbursements increased by another $1,000,000, to which was added a small deficit from the preceding year, the biennium 1893–1894 ended with a deficit of almost $2,500,000. A considerable increase in revenues during the next two years served to reduce this figure to about $1,000,000; and further improvement during the biennial period 1897–1898, with good crops and reviving business, transformed this deficit into a favorable balance of about the same amount. Only once since that time has the close of a biennial period recorded a deficit in the state treasury, and that was after the panic of 1907. But this was due to greatly enlarged appropriations rather than to declining revenues. A general summary of state finances since 1893 is given in the following table:

TOTAL RECEIPTS AND DISBURSEMENTS, 1893–1916

YEARS	Total receipts	Total disbursements	Total surplus
1893-94	$ 9,437,988	$11,864,077	$2,426,089*
1895-96	11,518,593	12,657,753	1,139,160*
1897-98	14,294,684	13,017,652	1,277,031
1899-00	14,482,548	14,027,587	454,960
1901-02	16,382,020	15,621,652	760,368
1903-04	16,491,486	16,422,576	68,909
1905-06	19,763,176	17,661,183	2,101,992
1907-08	19,588,842	21,278,805	1,689,963*
1909-10	21,613,150	21,045,803	567,347
1911-12	26,955,191	25,881,487	1,073,704
1913-14	39,708,784	32,952,862	6,755,922
1915-16	44,944,341	45,708,882	6,925,055

* Signifies a deficit.

Between 1893 and 1906 the growth in expenditures by the state was steady, but no greater than was necessitated by the increase of population and the extension of governmental functions. Beginning with 1907, however, there is a very sharp increase in expenditures, which have advanced since that time at a progressive rate, so that while it took fifteen years between 1891 and 1906 to double the state expenditures, a single decade, from 1907 to 1916, has again seen a doubling. This is a rate of increase five times as rapid as the growth of



INCREASE OF STATE RECEIPTS, EXPENDITURES, AND TAXES, 1892-1916.

the population and almost twice as great as the increase in the estimated wealth of the people.[1] Such an expansion as this calls for a somewhat close scrutiny of the expenditures in order to ascertain what has caused this growth.

Before attempting to analyze any particular expansion in Illinois state expenditures it must be pointed out that the last twenty years have been a period of rising prices and that the money values in which services and commodities are expressed have increased steadily, and in the last few years with extraordinary rapidity. There has therefore been a statistical increase in the monetary figures which express the activities of the state without a correspondingly great increase in these activities. This has been particularly marked in the last two years, since the deluge of gold which has flooded this country as a result of the European war and has caused a general rise in the price level.

After making all possible allowance for this factor, however, it still remains true that there has been a great expansion in the activities and expenditures of the state government. In the following table the expenditures of the state have been grouped in such a way as to present clearly the main lines of state activity and to show distinctly for what purposes the state revenues have been spent.[2]

The salaries and other expenses of administrative officers show a steady, and since 1904 a very swift, increase. This is due in part to the gradual increase in the salaries of state officers, but more especially to the great multiplication of assistants and clerks, necessitated by the rapid increase in the volume of business transacted by the various departments. New offices have also from time to time been created.

The cost of legislative sessions has increased less than most other items in the table. The unusually large expendi-

[1] *Estimated Valuation of National Wealth, 1850-1912,* p. 20.

[2] It may be said in passing that this is not the way they are presented in the auditor's reports, but the way they should be grouped. For a statement of the items included under each of the headings in the table *see* p. 427-429, and p. 511-515.

Biennium	Administrative offices		General assembly		Judiciary	
	Salaries	Other expenses	Pay and mileage	Other expenses	Salaries	Other expenses
	I	Ia	II	IIa	III	IIIa
1893-94...	$103,446	85,281	$246,091	$ 28,706	$580,237	$ 77,530
1895-96...	128,965	93,619	318,129	57,128	613,193	75,592
1897-98...	129,363	90,874	422,995	68,387	647,086	95,311
1899-00...	153,133	114,403	291,438	27,173	757,055	102,622
1901-02...	179,893	149,927	300,360	29,938	774,695	109,374
1903-04...	174,051	170,587	300,962	32,066	770,554	121,362
1905-06...	211,306	339,831	334,884	36,412	787,257	173,564
1907-08...	238,189	452,879	352,335	60,472	826,509	505,492
1909-10...	298,701	642,111	606,074	61,084	981,765	181,772
1911-12...	341,232	781,203	605,732	106,080	1,098,524	178,120
1913-14...	417,627	1,095,899	528,127	170,808	1,209,701	215,971
1915-16...	758,603	1,681,263	734,984	295,121	1,753,822	352,484

Biennium	Militia and military affairs	State house and executive mansion	Public schools	Public health	Internal improvements and public works	Agriculture
	VIII	IX	X	XI	XII	XIII
1893-94...	$ 236,336	$ 60,400	$2,138,565	$ 24,944	$ 15,020	$ 36,557
1895-96...	735,147	73,432	2,135,245	18,338	12,345	158,752
1897-98...	417,466	124,922	2,129,451	24,226	59,570	266,471
1899-00...	993,132	133,990	2,135,159	30,210	28,330	143,643
1901-02...	684,537	139,074	2,079,843	54,431	301,359	188,548
1903-04...	734,511	156,587	2,028,130	64,798	69,178	213,092
1905-06...	635,270	78,882	2,081,255	79,106	101,972	130,024
1907-08...	1,008,998	160,273	2,138,217	113,234	253,117	130,593
1909-10...	894,226	77,238	2,163,496	136,291	294,032	174,303
1911-12...	901,618	93,231	3,204,127	195,449	380,195	239,599
1913-14...	1,123,817	117,838	5,262,154	216,213	716,735	507,182
1915-16...	1,875,875	79,067	6,946,768	596,033	1,870,036	937,300

Printing, binding, and stationery	Educational institutions		Charitable institutions		Penal and correctional institutions	
	Current expenses	Other expenses	Current expenses	Other expenses	Current expenses	Other expenses
IV	V	Va	VI	VIa	VII	VIIa
$108,271	$ 214,772	$ 274,000	$2,361,856	$ 417,048	$ 779,409	$592,294
128,154	273,381	490,274	2,456,551	587,989	666,853	390,547
117,987	363,483	543,396	2,581,266	550,282	1,018,875	331,889
113,974	656,468	315,168	2,911,266	1,083,696	983,560	190,275
149,027	997,182	648,711	3,158,448	1,099,909	1,276,799	270,849
153,901	1,364,916	399,440	3,490,678	1,035,693	1,181,126	580,572
205,758	1,665,862	544,435	3,923,655	674,764	1,729,121	525,726
223,237	2,324,926	897,100	4,375,552	1,128,653	1,949,273	485,495
296,544	2,447,700	856,867	4,610,264	1,062,161	1,976,082	227,213
338,588	3,276,899	1,051,647	5,439,129	1,014,504	2,022,472	686,163
363,704	4,878,433	702,454	6,776,837	1,946,261	2,054,430	468,232
485,632	5,704,077	2,016,930	7,553,234	2,868,104	2,619,126	834,255

Industrial supervision and statistics	Refund of taxes improperly paid	Local bond payments	Fish and game conservation	Historical monuments, celebrations and exhibits	Grants to societies	Miscellaneous	Total expenditures[3]
XIV	XV	XVI	XVII	XVIII	XIX	XX	XXI
$ 168,158	$ 1,940	$2,744,994	$ 17,923	$459,279	$ 6,000	$ 81,165	$11,859,449
254,829	112	2,741,087	21,959	60,677	8,000	69,151	12,569,753
275,024	1,645	2,282,329	19,280	89,332	12,000	347,268	13,010,229
361,608	376	2,352,077	36,039	103,400	13,000	104,394	14,070,334
416,095	6	2,235,421	44,525	148,281	16,500	150,622	15,604,455
477,354	1,996	2,242,292	139,264	227,738	19,000	241,237	16,391,083
489,283	335	2,146,001	334,570	324,974	18,000	118,970	17,696,191
605,625	1,823	2,513,981	381,711	72,299	20,500	91,167	21,290,738
780,017	163	1,917,346	371,619	35,716	22,905	93,072	21,112,761
1,460,168	17,997	1,743,381	413,228	177,213	25,050	136,015	25,924,576
1,974,489	56	1,779,248	344,409	160,249	30,144	161,786	33,351,398
2,788,396	446	1,719,774	264,688	223,395	34,929	270,120	45,113,474

[3] Warrants drawn by the auditor on the treasurer.

tures for certain biennial periods, as 1897–1898, 1909–1910, 1911–1912, were occasioned by the holding of extra sessions. There has also been observable in ordinary years a tendency toward longer sessions, due probably to the greater amount of legislative business coming before the general assembly. Salaries of employees have also shown a steady growth; and in the period 1911–1914 a number of legislative committees were appointed to investigate various phases of state activity, the expenses of which are included in column IIa and which have helped to swell this column.

The expenditures for the judiciary show a steady but normal increase, due to the gradual expansion of the business of the courts, to the inclusion of the salaries of an increasing number of clerks, stenographers, and reporters, and also to the organization of certain special courts in some of the larger cities of the state. During the years 1905–1908, moreover, about $350,000 was spent for a new site and building for the supreme court.

The cost of public printing shows the same upward tendency, which is especially marked after 1904, and is to be attributed to the increased size of the ordinary public reports, and to the increase in their number owing to the multiplication of special commissions which make annual or biennial reports. For the biennium 1915–1916 the increased cost of paper is of course an important factor.

Expenditures for education have increased over twentyfold between 1893 and 1916, a rate of increase exceeded only by that for public works, but greatly surpassing this latter in absolute amount. Up to 1898 the expansion of educational expenditures, while marked, had been rather gradual, but beginning with the following year they expanded rapidly. New normal schools were being developed and after 1900 the state university exhibited an amazing growth, causing the expenditures in this column to increase by leaps and bounds. Appropriations for new grounds and buildings appear in the table on page 425, column Va.

Expenditures for charitable institutions have grown very rapidly until today they represent the largest group of expenditures made for any object. Their growth has been particularly rapid since 1900, the last decade and a half having witnessed a veritable campaign of building, not only in enlarging existing institutions, but in erecting new ones. This has been necessitated by the growing recognition on the part of the people of the state of the value of these institutions and consequently of a constantly greater use of the opportunities for relief and cure afforded by them to the defective and dependent members of society. Since 1909 the control of all the state charitable and penal and correctional institutions has been centralized in the hands of the state board of administration.

The same sympathetic attitude which was observable toward the charitable institutions has characterized in growing measure the attitude of the state government toward the delinquent and criminal classes. The expenditures for their care have increased in about the same proportion as for the former group, though the totals are happily not so large. In the application of these sums, moreover, a new purpose has steadily developed, that of reform rather than of vengeance. It is an expenditure that should grow less in the course of time, if the reformatory measures are effective and the therapeutic and preventive institutions, such as schools, agencies for public health, and the prevention of industrial abuses, diminish the number of the criminal classes. Thus far, however, the expenditures for the penal and correctional institutions of the state have increased pretty steadily, due to the growth in the number of such institutions and to the better care and more humane treatment given the inmates. Some of the larger items which are responsible for the increase from year to year are given below.[4]

[4] Current expenses (VII), 1893-1894: home for juvenile offenders, $32,000; large increases in all previously existing institutions; 1895-1896, economy due to financial depression; 1897-1898, increase necessary to wipe out deficiencies resulting from under appropriations of previous biennium; also due to enlarged system of control under state board of pardons; 1905-1906, beginning of a policy of more liberal appropriations for these institutions.

Other expenses (VIIa), 1893-1894, state reformatory for new buildings, re-

Expenditures for militia and military affairs are not large in any of the state governments and show only a normal growth in Illinois. The cost of the adjutant general's department increased gradually with the increase in its duties, and expenditures for the national guard showed a similar upward tendency owing to the growing number of enlistments in this body. The fluctuations which appear from one biennium to another are due in great part to the mobilization of the national guard for strike duty, upon which occasions the control and maintenance of the militia would be taken over by the state government.

There is little need for comment on the expenditures for the statehouse and the executive mansion. Some of the items are noted below.[5]

Expenditures for common schools show very little variation from year to year until the year 1911 is reached, since which date they have gone up by leaps and bounds. This enormous increase, resulting in a doubling of expenditures for this purpose within half a decade, is due to the new policy of constructing and maintaining an adequate system of township high schools over the state.

With the payment of the canal debt the expenditures for internal improvements and public works rapidly decreased until they reached the low water mark in 1895–1896. They then

pairs, equipment, etc., $160,000; northern penitentiary, workshops, tools, and materials, $250,000; southern penitentiary, the same, $50,000; 1895-1896, asylum for insane criminals, new building, $20,000; home for juvenile female offenders, buildings and equipment, $70,000; northern penitentiary, new buildings and improvements, $130,000; 1897-1898, state reformatory, new cell house, $150,000; 1901-1902, extensive repairs and improvements at all institutions; 1903-1904, home for delinquent boys, buildings, $210,000; northern penitentiary, materials for manufacturing, $100,000; state reformatory, repairing buildings damaged by fire, $75,000; training school for girls, cottages, $36,000; 1905-1906, training school for girls, cottages, $43,000; home for delinquent boys, new buildings, $150,000; northern penitentiary, materials, $174,000; 1907-1908, training school for girls, land and new cottages, $120,000; home for delinquent boys, new buildings, $110,000. The last few years have seen no expensive new buildings erected, but liberal allowances have been made for the repair and improvement of existing institutions.

[5] 1897-1898, repairing and refurnishing executive mansion, $30,000; 1899-1900, large increase in number of porters, janitors, policemen, and watchmen at the statehouse; 1905-1906, great reduction in the same forces; 1907-1908, repairs on the statehouse, $106,029.

remained practically stationary for a decade, at the end of which time the appropriations for the state highway commission began. These have increased with great rapidity during the last half decade.[6]

The expenditures listed in the table under the title "agriculture" are almost entirely devoted to the erection and maintenance of buildings at the state fair grounds. In 1905 these were permanently located at Springfield and were put under the control of the state board of agriculture. Appropriations for this object have been continuous from that date to the present. Larger grants have also been made to county agricultural boards to assist in paying the expenses of county fairs and of county farmers' institutes.

It is now generally admitted that there are phases of private enterprise in which it is not proper or safe to permit conditions to be determined by unrestricted competition, and other fields in which competition is inoperative, such as monopolistic industries. Unless the state itself undertakes the operation of these enterprises it is therefore necessary for it to supervise and regulate the manner and conditions under which private individuals or corporations shall carry on these businesses. There has consequently been a great extension, not only in Illi-

[6] The main expenditures in this group are shown in the following table:

Biennium	Illinois and Michigan canal	Arsenal, armory, and museum at Springfield	State highway commission	Geological commission	Rivers and lakes commission
1893-94	$ 5,000	.....	.....	.....	.....
1895-96	.....	.....	.....	.....	.....
1897-98	50,000	.....	.....	.....	.....
1899-00	17,385	.....	.....	.....	.....
1901-02	169,349	$119,680	.....	.....	.....
1903-04	19,527	30,320	.....	.....	.....
1905-06	40,000	.....	$ 15,905	$33,064	.....
1907-08	45,000	.....	96,449	63,597	.....
1909-10	68,200	.....	124,083	58,554	.....
1911-12	57,500	.....	178,529	74,834	$38,455
1913-14	.....	.....	201,044	66,656	388,311

nois but in all industrial states, of expenditures for industrial supervision and investigation. In this state the increase during the period under discussion has been almost twelvefold, from $168,158 in the biennium 1893–1894 to $2,788,396 in the biennium 1915–1916. Hardly a year has passed but has seen the creation of an additional commission or two. Starting with a single commission in 1871 — the railroad and warehouse commission — with an expenditure for the first year of $18,000, the number has increased to over twenty-five, spending during the last biennium about $2,800,000. And not merely has the number of these regulatory agencies rapidly increased, but the expenditures of each separate board or commission has swelled enormously from year to year. Their rapid expansion may be interpreted as a proof, in general, both of the need of such agencies and of the value of the services which they render. Some of the details as to these expenditures are given below.[7]

The column headed "refund of taxes improperly paid" is small, but was not classifiable with any other group. While there is considerable variation in the amounts, the range being from $6 to $17,997, even the highest is so small that it gives evidence of some care in the collection of taxes.

The expenditures for local bond payments are noteworthy because they constitute one of the very few groups which shows a decline. This decrease is especially marked after 1908 and

[7] 1893-1894, expenditures for insurance superintendent begin here; they increase from $28,000 to $165,000 during this period; also factory and workshop inspectors, whose expenditures grow from $17,000 to $203,000; 1895-1896, first appearance of the state board of arbitration, with expenses from $6,000 to $24,000; 1899-1900, beginning of expenditures for food commissioner, which grow from $18,000 to $164,000; also free employment bureaus in the larger cities of the state, with expenditures from $20,000 to 95,000; 1905-1906, first appearance of safety appliance inspector; 1909-1910, state fire marshal first appears, costing from $1,750 to $130,000; also mine rescue stations, increasing from $800 to $107,000 and commissioners of mining investigations, spending about $5,000 per biennium; 1911-1912, a large number of new commissions were created this year, among them the board of dental examiners, board of examiners for barbers, board of examiners for registered nurses, board of pharmacy, stallion registration board, inspector of apiaries, and grain inspection office; 1913-1914, this year marks the beginning of the state industrial board, and of the state public utilities commission. This group also includes several less important commissions which existed for a number of years and then disappeared.

indicates that the local communities are now beginning to pay off their indebtedness.

Expenditures for the conservation of fish and game of the state began in 1879 with the establishment of the fish commission. In 1899 the game commission was provided for, being given appropriations which grew from three thousand to two hundred thousand dollars. In 1914 the two were amalgamated into the state fish and game conservation commission. There has been a rapid increase of expenditures for the purpose of conservation of the native fish and fauna of the state, especially since 1903.

The people of Illinois have testified to their interest in the history, not only of the state, but of the nation as a whole, by the expenditures they have made for historic monuments, celebrations, and exhibits. Illinois has taken some part in almost every historic celebration or exhibition held in the United States during this period. Beginning with the World's Columbian exposition in Chicago in the biennium 1893–1894, which naturally was the largest, they have continued until the celebration of the one-hundredth anniversary of the entrance of the state of Illinois into the union. Probably no group of expenditures has yielded or will yield larger returns in patriotism or in the elevation of standards of achievement and of life than those here recorded.

The expenditures which are here grouped together under the title "grants to societies" began in 1893 with an appropriation of $6,000 to the State Horticultural Society. From that time to 1910 every session of the legislature saw the addition of at least one society to the number receiving state aid. The regularity with which the number has grown is striking: 1895, State Dairymen's Association; 1897, Poultry and Pet Association; 1899, Live Stock Breeders' Association; 1901, State Firemen's Association; 1903, Beekeepers' Association; 1905, Milk Producers' Institute; 1909, Grand Army of the Republic. The grants in all cases are small, the largest being that of $8,286 to the last-named organization for the biennium 1913–1914. It

is apparently the purpose of the legislature to contribute sufficient to pay for printing the reports of the proceedings of the various societies.

By way of conclusion the expenditures of the state may be grouped under four or five large purposes. The cost of running the government — administrative, legislative, and judicial, together with certain other expenses incidental thereto — absorbed about twelve and five-tenths per cent of all the expenditures for the last biennium. Those for carrying out the protective functions of government — militia and penal institutions — were eleven per cent. Public works took two and one-tenth per cent, and the business of supervising and regulating private industry by means of commissions cost seven per cent. This left over two-thirds, or sixty-seven and four-tenths per cent, to be devoted to what may be called the developmental functions of government, namely education, charitable institutions, public health, and similar activities.

The great task of the state government of Illinois is thus seen to be the development of those lines of public activity which will best fit its citizens to realize their capacities, and to promote social activities which will elevate the conditions of life. Provided the work is economically and efficiently performed there can be no doubt as to its desirability. It is clear that the state of Illinois is performing services of the very highest character, which are destined to make it a better place of residence for succeeding generations.

XX. STATE TAXATION

"ONLY two things are certain," says an old proverb, "death and taxes." There is no well-authenticated evidence as yet that the laws of death have been suspended in the case of any citizen of Illinois, but in the case of taxes under the prevailing legislative and administrative system in Illinois the old proverb must be amended. Taxes are uncertain. The only thing which is certain is the fact of taxation, for the state must be supported and an adequate revenue provided. But as to whether the burden of taxation shall be justly distributed, equitably assessed, or fairly borne there prevails only uncertainty. The iniquities of the present system lie like a blot upon the fair page of Illinois history which these volumes unfold. It is to be hoped that the opening years of the second century of the state's history may record their reform.

State revenues in Illinois are received from various sources, but by far the most important source is the general property tax, the yield from this exceeding all other revenues put together. Next to this come the corporation and inheritance taxes, and finally a number of fees which for the most part, however, cover only the expenses of the boards which collect them. The present system is based upon the revenue law of 1872, which carried out the provisions of the constitution of 1870, but in reality the general property tax dates from a much earlier period. Since 1872 the only important addition to the sources of revenue has been the inheritance tax in 1905, which was increased and made progressive in 1909. Any account of the sources of revenue of the state between 1893 and 1916 must, therefore, be devoted largely to an account of the general property tax.

It is obvious that the state of Illinois is committed to an antiquated system of taxation. While it has shown itself to be enlightened and progressive in matters of expenditure, on the side of revenues it is backward and unprogressive. Although it has developed its mining interests until it ranks as the second state in the union in this respect, and its manufactures until in this field it ranks third, it still clings to a system of taxation which was introduced when the state was almost purely agricultural and which is suited only to rural communities. The commercial and financial expansion and the extraordinary recent growth of corporate organization are all but ignored, and the futile attempt is made year after year to fit the economic frame of our expanding life to the Procrustean bed of an outgrown system of taxation.

In the administration of the general property tax there are three distinct steps: first, there is an official assessment or valuation of the property subject to taxation; second, the tax rates ordered by the various taxing authorities must be determined, and the amount of taxes against each piece of property or property owner must be calculated and levied; and third, the taxes must be collected.

The proper assessment of property presents the greatest difficulties to be found in connection with the administration of this tax, and this is true both of real and personal property. Little change or improvement has been made in this respect in the last forty-five years, but the important facts for this period may be noted, especially in their bearing upon present problems. To set these forth clearly it will be necessary to analyze the general property tax into its component parts — for it consists really of a complex of taxes — and to discuss these separately.

The most important distinction is between real and personal property. Real estate is defined as "not only the land itself . . . . but also all buildings, structures and improvements, and other permanent fixtures . . . . thereon, and all rights and privileges belonging or in anywise pertaining

thereto. . . . ."[1] Until 1899 real estate was assessed annually, but in that year a quadrennial assessment was substituted with annual additions and corrections. From 1872 to 1898 the statutes prescribed that all property should be assessed at its fair cash value, but this ideal was ever more widely departed from and finally in 1898 the legislature recognized the existing undervaluation and declared that thereafter the assessed valuation for purposes of taxation and limitation of indebtedness should be one-fifth of the full value. In 1909 this proportion was raised to one-third.[2] It was apparently thought that the taxpayers could be tricked into fuller valuations if they were told that they would be taxed on only a fraction of what they declared. Illinois is the only state which has legalized a departure from the spirit of the tax law.

Undervaluation has been the greatest evil of the tax system in spite of — or perhaps because of — the provision just described. In 1896 an investigation of a certain district in Chicago showed that the taxable real estate was worth $438,447,180, while the assessed value was only $40,668,720 or 9.4 per cent. The following table shows the disparity between true and assessed value for the whole state:[3]

Comparison of True and Assessed Valuation of Real Estate in Illinois

Year	Estimated true value of taxable real estate	Assessed value	Percentage of assessed to true value	Legal ratio
1890.....	$ 3,108,040,960	$ 587,442,289	18.9	100
1900.....	4,008,676,366	568,368,309	14.2	20
1904.....	5,185,946,082	761,039,328	14.7	20
1912.....	10,046,319,512	1,648,500,546	16.4	33

From these figures it is clear that at no time has there been even an approach to full valuation. The law of 1898, instead of bringing about an agreement between the facts and the stat-

[1] *Laws of 1871-1872*, p. 69.
[2] *Ibid.*, 2, 3; *Laws of 1898*, p. 40-41, 43; *Laws of 1909-1910*, p. 308.
[3] Based upon United States census reports on wealth, debt, and taxation.

utes, simply stimulated to further undervaluation and two years later the assessed valuation was one-seventh of the true value. When the legal ratio was made one-third, it pulled up the actual valuation slightly, but still left it almost exactly half of what the law called for.

Even greater than this evil, serious as it is, is another one which is closely connected with this, namely inequality in assessment. As soon as the assessor forsakes the standard of exact and full valuation he is left without guide or restraint and is exposed to the importunities of every taxpayer, who presses always for a reduction in his assessment. The result is that the greatest inequalities are introduced as between districts, kinds of property, and individuals. Thus different parts of the state show varying results according to the honesty or efficiency of the local assessors. In 1912 the percentage of assessed to true valuation for the whole state was 16.4, but in Alexander county it was 37.1, in Hardin it was 31.9; in Coles, 15.1; and in Kankakee, 14.7.[4]

Also two different kinds of real estate are assessed at different ratios. Town lots are assessed at a relatively higher rate than farm lands.[5] The rapid increase in the value of farm lands since 1900 has not been reflected in the assessed valuations. Between 1900 and 1910 the value of farm lands in the state almost exactly doubled, but the assessors' valuations increased less than one-third.

A still more irritating and unjust discrimination is that between large and small holdings. Thus in 1893 in Chicago thirty pieces of choice residence property, worth $20,000 and above, were assessed at from 4 to 12 per cent of the true value of the property, but eighty pieces of property, selling for less than $4,000 each, were assessed at from 12 to 40 per cent of the true value.[6]

Wherever similar investigations have been made it has

[4] *Thirteenth Census of United States*, 6:427, 430; *Wealth, Debt, and Taxation*, 1913, 1:23, 759.

[5] *Report of the Efficiency and Economy Committee*, 92.

[6] *Report of the Bureau of Labor Statistics*, 1894, p. 88, 92-94.

been found that the smaller property has been assessed at the higher rate. Such discriminations are made possible just as soon as the rule of full valuation is departed from. The revenue commission of 1886 reported on this point that "the realty of one man is assessed at one-third, one-half, two-thirds, or even full measure of its actual value; while that of his neighbor is assessed at one-sixth, one-tenth, one-twentieth, or as was shown in one case of considerable magnitude, one-twenty-fifth of its actual value. . . . . Such distinctions are too invidious to be meekly borne."[7] The same facts and conclusions hold with equal truth for today.

The work of assessing property for taxation is performed for the most part by local officials. In counties not under township organization the county treasurer is *ex officio* county assessor, and appoints deputy assessors. In counties under township organization assessors are elected in each township for a period of two years. Cook county was made an exception by an act of 1898, and there a county board of five assessors, elected for six years, exists; this board appoints deputy assessors for the townships which lie within the city of Chicago. The change in the manner of selecting these officials was made because the earlier system of elective township assessors had proven unsatisfactory, inefficient, and corrupt.[8] In general throughout the state the local assessor is the key to the efficient administration of the general property tax, for upon his initial valuation rests very largely the success or failure of the whole system.

The assessor is required, before June 1 of every fourth year, actually to view and determine as nearly as practicable the value of all real estate listed for taxation. In the case of personal property the owner is supposed to list it, but in practice most of the personal property returned for taxation is assessed by the assessor. Boards of review and equalization are provided for in order to correct mistakes and inequalities, but the

[7] *Report of the Revenue Commission*, 1902, p. iii-iv.

[8] *Laws of 1898*, p. 36, 37-38; *Laws of 1903*, p. 299-300; *Chicago Tribune*, February 25, 1898; Sparling, *Municipal History of Chicago*, 106.

changes made by them in the original assessments are few in number and insignificant in amount. Everything depends then upon the exactness and fairness of the initial work of the local assessor.

The general system of township assessors was sharply attacked in the report of the revenue commission of 1886. They recommended the abolition of the township assessor and the substitution of a county assessor elected for four years, with power to appoint deputies, but no action was ever taken on this recommendation. Again in 1910 the special tax commission appointed by the governor under act of June 9, 1909, repeated substantially the same recommendation.[9] They believed this system would "provide a more efficient means for making fair and equitable local assessments of property for purposes of taxation." This report too suffered the common fate of most reform suggestions.

The system of review and equalization was developed in an attempt to correct the evils which had arisen from the unequal valuation of property in different districts. The theory was that the assessments made by the local assessors should be checked up, corrected, and compared with the valuations arrived at by other assessors, and any omissions, inequalities, or undervaluations corrected.[10] Previous to 1898 town assessments were subject to review by a town board of review, consisting of the town supervisor, assessor, and clerk, but by the act of 1898, this town board was abolished, and increased powers over assessments were given to county officials.[11]

In each county there is provided a county board of review. In counties not under township organization this consists of the board of county commissioners. In counties under township organization it consists of the chairman of the county board and two citizens, one from each of the

[9] *Report of the Revenue Commission,* 1886, p. vi-vii; *Special Tax Commission Report,* 7-13.

[10] Haig, *History of the General Property Tax in Illinois,* 173.

[11] *Laws of 1898,* p. 46.

leading political parties, appointed each year by the county judge. In Cook county a board of review of three members is elected for six years, one member being elected every two years.

Little can be expected of the system that prevails in the counties under township organization, where annual appointments bring untrained and usually uninterested men to the board. In the case of Cook county, where long tenure should secure expert service, it has been charged that members of this board have made use of their office to aid their private business. Of recent years little complaint has been made. The functions of the county board of review are four: it may add property omitted from the assessment roll; it may remove property from the lists which is entitled to exemption; it may correct individual assessments; and it may increase or reduce the entire assessment of either real or personal property so as to equalize the assessment between sections of the county or between classes of property.[12]

The last step in determining the valuation of property assessed by local assessors is the equalization of county valuations by the state board of equalization. This body consists of the auditor of public accounts and one member elected for a term of four years from each of the twenty-five congressional districts. The board has power to increase or decrease the aggregate amounts of the county valuation so as to make the assessments in one county bear a just relation to the assessments in other counties in the state. Before 1898 the total amount of increase or decrease by the board might not exceed five per cent of the total assessed value of property in the state, except for railroad property; but since 1898 the limit has been raised to ten per cent.[13] The work of the board has become more and more perfunctory and inefficient and in recent years has amounted to practically nothing. In the five years 1909–1914 only twenty-nine changes were made from the returns of

[12] *Report of Illinois Tax Reform Association*, 1908, p. 6, 7; *Laws of 1898*, p. 47-48.

[13] *Ibid.*, p. 52.

the county boards for the entire state, and in three of these years no changes at all were reported.[14]

Against the state board of equalization as at present constituted there has been directed a steady and unanimous stream of criticism and condemnation. The revenue commission of 1886 characterized as "arbitrary and unjust" the equalization between counties by the state board.[15] Governor Altgeld in 1895 charged that the changes in valuations made by the board represented "simply an effort by one or more sections of the State to throw the burden onto some other portion of the State."[16] A well-known publicist described the present board in 1909 as "a clumsy and ineffective body."[17] The special tax commission of 1910, while less outspoken in its disapproval, recommended the substitution of a small permanent tax commission for the present board. But the most violent attack upon the board has been made by one of its own members, after the completion of the year's work in 1913.[18] According to his testimony the committees to which is referred the actual task of equalization perform their work in a hasty and perfunctory manner; their meetings are "a pefect burlesque." "The custom has been never to raise the assessments in a county unless the member from that district gives his consent." Here is an explanation of the small number of changes made by the board in recent years.

Personal property is not formally defined by the tax laws, although real estate is. It may therefore be considered to consist of all property not specifically exempt, or taxed as real estate. The schedule furnished to the taxpayers by the assessor contains a list of thirty-six items, which may be regrouped under the following three heads: tangible property, not ordinarily productive of money income, such as household furniture, pianos, sewing machines, watches, etc.; tangible prop-

[14] *Report of the Efficiency and Economy Committee,* 105.
[15] *Report of the Revenue Commission,* 1902, p. 11, 12, 13.
[16] *Senate Journal,* 1895, 23.
[17] Fairlie, *Report on the Taxation and Revenue System of Illinois,* 65.
[18] H. T. Nightingale, in letters to the *Chicago Record-Herald,* November 25, 1913 and *Evanston Press,* December 6, 1913.

erty which is productive, as livestock, agricultural implements, manufacturers' machinery and stocks, merchandise, etc.; and intangible property, including such items as money, stocks, bonds, credits, etc.

The law provides that every person of full age and sound mind, being a resident of the state, shall list all his moneys, credits, and other personal property.[19] It is further provided that persons required to list personal property shall make out under oath a schedule of all their taxable personal property. Upon their failure to do so, the assessor shall list and assess it according to his best information. With respect to most of the items of tangible personalty and practically all the intangible personalty, the system is necessarily one of self-assessment. It is not easy to estimate exactly the efficiency of the assessment of personalty in Illinois because the statistics do not furnish full information, but from all available data it is clear that the system has completely broken down and that the assessment of personal property is a farce if not worse.

One test of the completeness of assessment of personal property is to note the relation which it bears to real estate. The following table shows these facts since 1851:[20]

Assessment of Real Estate and Personal Property, 1851–1916

Year	Real estate	Personal property	Per cent personal
1851	$ 86,512,537	$ 33,335,798	27.8
1861	238,858,839	80,720,918	25.2
1871	364,622,620	112,458,194	23.5
1873	897,615,193	304,518,340	25.2
1881	566,270,710	168,674,777	22.9
1891	592,766,180	143,529,274	19.6
1898	572,373,684	114,215,007	16.5
1901	1,146,744,682	335,136,240	22.6
1911	1,633,456,568	462,719,174	22.0
1916	2,955,402,715	508,954,970	14.4

[19] *Laws of 1871-1872*, p. 3-4, 7-8.
[20] *Report of the Efficiency and Economy Committee*, 94.

There is here shown a steady decline in personal property assessments from 1851 to 1898, since which year there has been a slight improvement. But there can be no doubt in the mind of anyone familiar with the rapid industrial development of the state in the last half century and of the multiplication of all forms of intangible wealth, such as bonds, stocks, credits, and other paper evidences, that the relation between realty and personalty is probably one of equality rather than of six to one.

If particular items are considered in the list of intangible personalty there will be found still more glaring inequalities. In the following table are given the assessed values of credits:[21]

ASSESSED VALUE OF CREDITS, NOT INCLUDING BANKERS' CREDITS, 1875–1916

YEAR	State	Cook county	YEAR	State	Cook county
1875.....	$24,018,237	$ 146,124	1900.....	$22,181,440	$2,819,312
1880.....	17,680,302	211,815	1905.....	21,467,724	2,751,212
1885.....	13,102,498	250,239	1910.....	38,681,356	4,063,277
1890.....	11,175,380	190,535	1916.....	38,194,460	5,315,282
1895.....	10,342,774	67,660			

Under the definition of credits, other than bankers' credits, the chief item is mortgages. It does not need a detailed knowledge of investments or of mortgage records in Illinois to realize that undervaluation and evasion is the rule in the assessment of these forms of wealth. The slight gains as a result of the legalization of undervaluation by the laws of 1898 and 1909 are by no means commensurate with the growth in population or in mortgage indebtedness. There are also wide variations as between different parts of the state. It is not unreasonable to assume that at least as many credits are owned by city people as by country people. Yet in 1895 Cook county, which contained one-third of the population, returned only one hundred and fifty-fourth of the credits listed for taxation.[22]

[21] Haig, *History of General Property Tax in Illinois*, 147
[22] *Ibid.*, 148.

Since the revision of the law in 1898 some improvement in the distribution between counties has been made.

Another item which may be used as a test of the success of the assessors in listing personal property is that of bankers' credits. In brief this is the amount remaining after subtracting from the checks, accounts receivable, and discounts the deposits and accounts payable; the difference is taxed under this head. The following table shows the amount of these credits:[23]

ASSESSED VALUE OF BANKERS' CREDITS, 1875–1916

YEAR	State	Cook county	YEAR	State	Cook county
1875	$1,953,223	$ 349,573	1900	$1,919,722	$ 236,366
1880	1,414,971	55,342	1905	3,539,058	233,013
1885	1,337,114	105,610	1910	7,180,020	1,686,397
1890	1,050,489	30,308	1916	8,236,945	2,528,423
1895	1,724,611	12,225			

It is clear from these few figures that the amounts listed under this item are insignificant. In 1893 the net taxable credits of the state banks of Chicago, as shown from reports made to the auditor, amounted to $2,497,722; the assessment of credits for that year for all the state banks in Chicago was $22,375 or about one per cent. The same situation is disclosed in the item of money.

It may be objected that these are all but impossible of ascertainment because they are intangible, easily concealed, and only disclosed by the owner himself, and hence do not afford a fair test. Let there be considered, therefore, another group, which consists of items not so easily concealed, namely tangible nonproductive property. A study of the returns of these articles as given in the auditor's reports reveals some curious situations. Thus it would appear that in the forty years between 1873 and 1916 the value of sewing and knitting machines has declined from $3,336,817 to $679,800. Simi-

[23] Haig, *History of General Property Tax in Illinois*, 154.

larly the value of watches and clocks fell off from $1,949,401 to $589,102. In 1916 there were listed in Cook county 15,489 watches and clocks, or about one to every one hundred and seventy-seven of the population.[24] One is tempted to parody Goldsmith's well-known lines and to describe Illinois as a state

". . . . to hastening ills a prey,
Where men accumulate and wealth decays."

In fact the only group which shows even an approach to accuracy is that of tangible productive property, consisting of livestock, agricultural implements, manufactured goods and machinery, merchandise, etc. But the very success of the assessors in listing the articles in this group throws an additional burden upon owners of real estate, who are already bearing a disproportionate share of the burden under the general property tax. The following table shows in brief the relation which these three groups of taxable property held to each other in the past forty years:[25]

ASSESSED VALUATION OF PERSONAL PROPERTY IN ILLINOIS, 1873–1913
By groups

YEAR	Tangible productive	Tangible non-productive	Intangible
1873	$176,177,954	$27,348,858	$ 74,190,232
1898	66,517,006	13,139,632	31,822,425
1901	73,486,036	12,363,170	103,744,169
1913	159,651,910	25,021,268	168,792,900

The second step in the administration of the general property tax is the levy and extension of taxes. When the state board of equalization has completed its work, then the base of the tax is fixed; and against the various amounts are charged the taxes according to the rates determined by the proper authorities. In Illinois the rate actually levied is a combination of state, county, city or village, road and bridge, school,

[24] *Auditor's Report*, 1912, p. 426.
[25] Based on auditors' reports.

poor, and other rates, all of which are certified to the county clerk, who combines them and calculates how much each taxpayer must pay.

The final step is the collection of taxes. This had already been well worked out when the new revenue law of 1872 was adopted, and little change has been made since. In counties under township organization, taxes are collected by town collectors, the county treasurer being the county collector. In counties not under township organization, the sheriff is both county collector and district collector.

In addition to the taxation of individuals the property and corporate excess of corporations are also taxed under the general property tax. But the machinery by which these are ascertained and valued is different in the case of railroads and other corporations from that just described for the assessment of the property of individuals, although the final assessed valuations are all taxed alike at the rate of the general property tax. The assessment process must therefore be described separately, even though the receipts are not distinguishable in the financial reports of the state officers.

The law of 1872 empowered the state board of equalization to assess the rolling stock and railroad track of railroad companies and capital stock of corporations organized under the laws of Illinois. In 1873 the state board adopted rules providing that the value of the capital stock of each company should be determined by adding together the market value of the stocks and bonds and subtracting therefrom the assessed value of the tangible property. The value of the tangible property was to be assessed locally as before in the same manner as the property of individuals.

The first assessment by the state board, 1873, made large additions to the total assessed property valuations, the value of railroad track and rolling stock amounting to $59,317,408 and the excess value of the capital stock of railroads to $64,611,071, while the corporate excess assessments on corporations other than railroads was $21,898,451. This was the

high water mark for thirty-five years, for until 1909 these assessments were not equalled in the case of railroads and only once (in 1902) in the case of other corporations. The total assessment on railroads by the state board fell to $40,461,865 in 1878, and after that rose again very steadily until it reached $110,397,824 in 1908; the change in the law the following year, making the assessed value one-third instead of one-fifth of the real value, had the effect of bringing up the assessment in 1909 to $186,514,540. The following table shows the essential facts:

RAILROAD ASSESSMENTS IN ILLINOIS, 1873–1916 [26]

YEAR	Equalized local assessments	Assessed by state board of equalization		Total equalized assessment
		R. R. track and rolling stock	Capital stock	
1873.....	$9,592,154	$ 59,317,408	$64,611,071	$133,520,633
1875.....	5,673,477	32,163,644	22,649,222	60,486,343
1880.....	2,763,444	44,601,815	.....	47,365,259
1885.....	2,065,419	60,987,317	.....	63,052,736
1890.....	2,336,128	72,974,396	.....	75,310,524
1895.....	2,245,913	79,319,385	.....	81,565,298
1900.....	2,746,649	77,878,672	.....	60,627,321
1905.....	4,094,029	91,748,866	1,885,381	97,728,276
1910.....	7,690,788	177,217,518	2,111,684	187,019,990
1916.....	8,669,219	191,175,626	2,780,859	202,625,704

Substantially the same thing as has been described for railroads has also been true of the assessments on the capital stock of corporations other than railroads, except that a significant increase occurred in the latter case at a somewhat earlier date, namely 1901, which calls for some further explanation. The great increase in 1901 was due to litigation brought on by the Teachers' Federation of Chicago.

The work of the schools had been hampered by lack of funds in 1899 and 1900, and a new scale of salaries adopted

[26] Compiled from *Proceedings of the Illinois State Board of Equalization.*

in 1898 was held up for the same reason.[27] The only way to secure more funds was to have more taxes collected and before this could be done the tax base must be increased. Upon looking into the revenue situation the Teachers' Federation found plenty of abuses, but selected the assessment of the capital stock of corporations as the source which might be made to yield the largest returns with the least public antagonism. The assessments of twenty-three public service corporations were chosen for attack in a test case upon the lax and inefficient assessment methods of the state board of equalization. The federation claimed that the real value of the securities of these companies was $268,108,312, but most of them were assessed nothing at all upon their corporate excess, in spite of the fact that their tangible property was greatly undervalued by the local assessors. After petitioning in vain to have the board assess the corporations properly under their own rules, adopted in 1873, they brought mandamus proceedings to compel the board to act. After legal proceedings had begun the state board adopted a new set of rules and assessed seven of the twenty-three companies for small amounts. In 1901 the circuit court held that the new rules were invalid and the assessments fraudulent and granted the mandamus to compel the reassessment of twenty corporations under the former rules of the board.

This decision was upheld by the supreme court of the state,[28] but it was carried to the federal circuit court, which held that the assessment was made under duress and that it was not upon a proper basis, but should have been on the capitalization of net earnings. On this basis an additional assessment of $7,190,000 was made upon the companies, giving a total of $21,034,000 on which they paid taxes. This amount was increased slightly in 1902, but during the next five years there was a steady decrease until in 1907 the assessed valuation of capital stock was only $10,608,000 or less than half what

[27] *Chicago Tribune*, October 14, 1900.

[28] *Ibid.*, October 9, 1900; State Board of Equalization *v.* People, *191 Illinois*, 528.

it was in 1901. The change in the legal assessment ratio from one-fifth to one-third brought up assessments in 1909 to the highest point yet reached, namely $35,394,441; but immediately thereafter they began to decline again, until they have now fallen below the old low level of 1901. These facts are shown in the following table:[29]

CAPITAL STOCK ASSESSMENTS OF ILLINOIS CORPORATIONS OTHER THAN RAILROADS, 1873–1916

YEAR	No. of corporations assessed	Value of capital stock reported	Equalized value of capital stock and franchise	Equalized value of tangible property	Net assessment of capital stock
1873.....	207	.....	.....	.....	$20,730,057
1874.....	224	$ 40,777,920	$25,118,105	$13,398,889	11,719,216
1875.....	100	28,750,356	10,283,176	7,285,636	4,802,112
1880.....	29	.....	.....	.....	2,179,460
1885.....	114	54,832,525	9,078,083	5,286,460	3,791,623
1890.....	305	100,842,771	14,582,584	9,007,615	6,956,909
1895.....	252	179,177,258	14,975,288	10,192,779	4,782,509
1900.....	266	236,067,920	25,897,808	21,089,178	4,808,630
1901.....	328	287,948,878	78,552,218	57,074,275	21,477,943
1905.....	1,218	304,407,993	37,933,879	24,990,909	12,942,970
1910.....	1,078	269,467,110	89,822,370	63,088,122	26,734,248
1916.....	580	266,002,919	66,840,464	52,203,246	14,632,218

Whether the inefficiency and laxness of the board is due to corruption, as charged by the Illinois Tax Reform Association, or to its large size and elective character, as suggested by the special tax commission of 1910, it is clear that nothing can be hoped for from this source.[30] The work of original assessment now assigned to it could certainly be performed more efficiently and probably at no greater expense by a small expert tax commission.

Next to the receipts from the general property tax the largest single source of revenue to the state is the payments by the Illinois Central railroad, amounting for the year ending

[29] Compiled from *Proceedings of the Illinois State Board of Equalization.*

[30] Report of special tax commission in *Governor's Special Message,* January 31, 1911, p. 10.

GENERAL REVENUE, STATE OF ILLINOIS, 1870–1916

BIENNIAL PERIOD ENDING SEPT. 30	General property tax	Illinois Central railroad	Inheritance tax	Insurance fees and taxes	Secretary of state fees	United States government	Department fees and miscellaneous	Total general revenue fund
1872	$ 3,202,812	.....	.....	$ 21,973	.....	$ 39,539	$ 203,036	$ 3,445,387
1874	5,000,991	.....	.....	31,468	$ 12,659	.....	31,113	5,076,230
1876	3,340,824	.....	.....	35,620	8,042	.....	30,026	3,414,513
1878	3,786,181	.....	.....	35,374	15,159	.....	19,310	3,856,025
1880	3,240,075	.....	.....	38,137	12,448	.....	31,487	3,322,147
1882	4,442,832	$ 706,994	.....	46,075	20,772	.....	11,964	5,228,637
1884	3,249,379	769,147	.....	168,131	20,820	.....	86,313	4,293,790
1886	3,774,363	725,208	.....	127,855	20,998	.....	18,021	4,666,444
1888	4,699,205	817,461	.....	121,822	15,646	.....	39,429	5,693,563
1890	4,129,585	917,081	.....	162,535	43,535	111,234	3,808	5,367,777
1892	3,355,243	1,072,953	.....	171,472	48,922	1,201,303	4,376	5,854,269
1894	2,971,734	1,342,008	.....	117,276	70,241	224,442	23,847	4,749,447
1896	4,451,846	1,209,318	$ 315	328,475	195,135	282,075	278,903	6,746,068
1898	7,174,109	1,253,988	39,180	356,827	301,442	306,632	479,560	9,911,739
1900	6,032,652	1,411,577	958,786	358,448	602,077	579,537	128,044	10,071,121
1902	6,467,545	1,695,774	1,007,633	622,760	532,878	1,435,617	389,037	12,151,242
1904	7,368,469	2,081,012	921,715	593,001	573,003	345,307	26,472	11,908,981
1906	8,898,335	2,231,418	1,376,114	1,224,663	1,020,050	383,802	163,914	15,298,296
1908	9,011,955	2,371,982	782,743	939,854	960,935	368,548	293,030	14,697,078
1910	11,145,523	2,370,597	1,112,514	926,819	838,106	381,510	247,470	17,022,539
1912	11,327,345	2,458,645	3,687,030	1,178,695	975,426	380,665	1,311,123	21,318,929
1914	15,507,335	2,735,060	3,146,048	1,354,521	1,130,833	337,711	2,554,316	26,765,824
1916	12,511,193	2,983,526	3,116,278	1,335,172	739,474	329,936	3,440,291	24,465,870

October 31, 1916, to $1,617,919. This road is not taxed as are other railroads but pays to the state seven per cent of its gross receipts in lieu of all taxes. This payment is in return for considerable railroad property which was given the railroad after the breakdown of the state internal improvement scheme and more especially for a princely grant of land which had been assigned to the state by congress for that purpose.[31]

The tax on inheritances brings in increasingly large returns. This tax was imposed in 1895 and was revised and the rates increased in 1909. Considerable sums are also obtained from taxes on insurance and telegraph companies, and from fees. These are all shown in the table on the preceding page.[32]

The injustice and inadequacy of the general property tax as a source of state revenue, especially for such a large proportion of state receipts, has long led to criticism. Demand for reform has always been met by legislative inaction or trifling changes in existing law. A step forward was, however, taken in 1915 when the legislature voted to submit to the people an amendment to the constitution permitting the classification of personal property for purposes of taxation. This was approved in November of that year by popular vote. It is now made possible to impose taxes upon corporate property at a higher rate or upon intangible personal property at a lower rate than real estate. This method has already been adopted by Pennsylvania, Connecticut, Maryland, Minnesota, and Iowa; and it offers a measure of relief from the present evil of evasion on the part of intangible personalty. Thus far, however, no change has been made in the statute law.

The other parts of the tax system call for little or no criticism. The framework of a good revenue system is provided, which can be expanded as need arises. As in other industrial states — among which Illinois must now be classed — corporation and inheritance taxes furnish the bulk of the revenues. These should be developed to meet the growing needs of the

[31] *Tenth Census of United States*, 7: 625.
[32] Fairlie, *Taxation and Revenue System of Illinois*, 244.

state and dependence upon the general property correspondingly lessened. Too long has inertia prevented Illinois from taking the leading position in this field to which it is entitled by reason of its financial, commercial, and industrial preëminence.

XXI. ILLINOIS AND THE GREAT WAR

By Arthur C. Cole

IN THE early months of 1917 the American nation was called upon to decide a momentous question, whether or not to abandon the national isolation which had thus far saved it from fearful modern warfare with its ravenous appetite for life and property. For two and a half years Europe had been a seething mass of battling and suffering humanity; was this great peaceful republic now to be dragged into the maelstrom? This was the question on every tongue as people watched the failure of the president's appeal for peace without victory for either side.

The announcement of Germany's intention to undertake an aggressive submarine campaign against the Entente powers precipitated an unavoidable diplomatic break with the Teutonic nations. That war should of necessity follow this break was not believed by most Illinoisians. That events might rapidly and inevitably shape their course in that direction did seem probable to many clear-headed observers; moreover, there were many who in violation of President Wilson's early injunction of neutral-mindedness had come to expect little of good from the Central powers and who were already cataloging the sins of the Teutons against humanity. The vast body of the citizenry waited patiently for advice from the national executive, feeling that he held the key to American policy and that his recommendations ought to be backed at all hazards.

As the clouds of war gathered, the various elements that hoped that the arbitrament of the sword might be avoided began to bestir themselves to influence public opinion. The most significant single group in Illinois was doubtless the German element. The German born population of Illinois in 1910 numbered 319,199, a 13.7 per cent decrease for the previous

decade, though still the largest number in any state in the union; there were also 163,065 Austrian born residents in the state, most of them newcomers, since the increase for the decade was 95,952.[1] The German-Americans, claiming that they were more American than their "unneutral and pro-British" critics, could not easily adjust themselves to the international crisis.[2] They recalled the visit of Prince Henry when the traditional friendship between the United States and Germany was firmly sealed. While to many a clash with Great Britain seemed possible, hostility to the Central powers appeared almost an impossibility.[3]

The sympathy with the fatherland had found expression in a number of activities looking toward relief of the wounded, the crippled, and the widows of those fallen in battle. Societies were organized with the object of gathering material and funds for that purpose; fairs and bazaars were arranged to which the German-American population contributed with the utmost liberality. In Chicago, soon after the outbreak of hostilities, the German and Austro-Hungarian Relief Society was formed under a charter from the state of Illinois. This

[1] These two groups led the foreign born elements and constituted considerably over one-third of the foreign born population of the state. These immigrants from the domains of the Central powers were scattered through the state with especial strength in the cities, particularly in Chicago. Of the two million residents of Chicago, only 445,139 were native born of native parentage, while 643,733 were of German and Austrian birth or parentage. In addition, since German immigrants had steadily made a significant contribution to the population of Illinois, hundreds of thousands of Illinois citizens belonged in whole or in part to the same stock. Divided in religion, in politics, and in social and economic standing, this population element responded to a strong cultural bond which it found in the messages of the German newspapers of the state. Their journals had a combined circulation of a half-million. *N. W. Ayer and Son's Newspaper Annual and Directory, 1916,* p. 1277.

[2] To be sure, their sympathies at the beginning of the world war had been strongly with the German cause. Inclined to accept the interpretation that the Allies were the aggressors in the war, those of German descent or birth naturally sympathized with their kin across the water. They did not see in this a divided allegiance, or a defect in loyalty.

[3] This point of view had been stimulated by republican politicians, including German-American leaders, during the presidential canvass of 1916. Delegations of German republicans waited upon the editor of the Chicago *Abendpost* to secure a promise to support the candidacy of Hughes as more favorable to the German point of view; when the editor refused he was denounced as pro-British and a tool of Northcliffe, and threats were made to boycott his paper.

society, active until the break of diplomatic relations, by various means succeeded in collecting almost a million dollars to be devoted to the alleviation of suffering in the warring countries.[4] This work of charity received considerable recognition by the American Red Cross and by government officials.

When now the war clouds appeared on the horizon, many German-Americans hoped that the government would find it unnecessary to resort to the *ultima ratio regum.* Some felt that this would be a concession to British influence, in favor of crushing Germany, "a nation of peace-lovers, who are fighting in desperation for their existence and have made the first move for peace;"[5] others believed that the vital reason for entry into the war was the fact that without American assistance the Allies were beaten. Many hoped, from the broad humanitarian course which President Wilson had followed in directing American neutrality, that, in the interest of humanity, he would now see how much more valuable it might be to reserve the vigor and power of this great nation for the time when America could act as the arbiter, as the champion of right and justice, rather than as a party in the cruel and bloody broil. All these ideas found expression in the German language press and in protests to the regular newspapers; in the course of time it seemed wise to bring them more directly to the attention of the government. On April 1 twenty-five German-Americans, under the leadership of Gustave Jacobson, Rudolph Seifert, and Julius Goldzier, left Chicago for Washington, to make an effort to persuade President Wilson that America ought not to enter the war on the side of the Allies.[6]

[4] One of the devices was the sale of four-inch replicas of the iron cross for use as paper weights. The funds collected were dedicated exclusively to the assistance of noncombatants. The chief channel through which the donations of the different societies went was the German and Austrian Red Cross.

[5] *Chicago Tribune,* March 17, 1917. Some earnestly believed that "nothing that Germany has done to us has emanated from a spirit of calculated aggressiveness. That she has sinned there is no doubt. That we join the allies against her is morally wrong." *Ibid.,* March 31, 1917.

[6] *Ibid.,* March 31, April 2, 1917. Horace L. Brand, editor of the *Illinois Staats-Zeitung,* and other leaders declined invitations to a patriotic mass meeting in Chicago, March 31, because they were not given assurances as to the resolutions that were to be presented.

Other less responsible leaders pursued underground tactics and lent themselves to the more insidious influences of the German government's spy system.

Likewise pleading for the policy of American nonintervention was an indefinable group that had come to hope that the day was past when any attempt would be made to solve grave international issues by war. How many optimistically held to this faith it is not easy to calculate. Some were passive, mild-mannered humanitarians who would march with the progress of public opinion; others belonged to that body of fine idealists, persons of sincerity and intellectual conviction, who would struggle for their principles to the point even of becoming martyrs for opinion's sake.[7] From both groups there came the plea that the war god be not set up in the shrines of liberty-loving Americans. Through the medium of the Illinois and Chicago branches of the American Peace Society, the American Union Against Militarism, and similar organizations, Illinois had trained a body of active spokesmen for this ideal: among others, Jane Addams, Jenkin Lloyd Jones, Louis P. Lochner, Robert M. Lovett, Harriet Park Thomas, and Irwin St. John Tucker. All these had been consistent and determined foes of war and active in winning others to their point of view even before a Woodrow Wilson could pronounce a man "too proud to fight." Many of these now coöperated with the Emergency Peace League, which was organized to influence the government at Washington to labor for a continuance of American neutrality.

The socialists formed another anti-war group, dogmatically inclined to oppose all international strife. They had proclaimed socialism "the only real force in the world that makes for universal peace."[8] Prepared by over two years of analysis of the European war psychosis they now lined up their forces

[7] *Chicago Tribune*, April 4, 1917.

[8] Charles Edward Russell, "The Church and Socialism," reprinted from the *Churchman*. Russell continued: "Modern wars are of economic origin, and spring from competition. Socialism alone proposes to abolish war by abolishing its one cause. . . . The truth of all this is demonstrated by the war that began in Europe on August 1, 1914."

to protest a clash of arms; war, they held, would only line the pockets of Rockefeller, Morgan, and Schwab — of Wall street and the munitions manufacturers. From the national headquarters of the socialist party at Chicago there emanated through the columns of the *American Socialist,* the party's official weekly organ, a steady appeal for peace, while speakers like John C. Kennedy and W. E. Rodriguez, members of the Chicago city council, together with A. Germer, Irwin St. John Tucker, and Seymour Stedman, took the platform to plead the same cause.[9] On March 19, the socialist party national committee in session at Chicago called an emergency national convention to meet at St. Louis early in April for the purpose of protesting officially against the entry of the United States into war.

Labor was restive under the burden of its special problems and under a growing prejudice against international bloodshed. Throughout the nation labor smarted under the sentence of death recently meted out to Thomas Mooney, a labor leader, who had been found guilty of complicity in a bomb explosion which had cost the lives of several people on the occasion of a preparedness parade at San Francisco in September, 1916. The trial was proclaimed "a breakdown of law and justice;" the Chicago Federation of Labor arranged for a tremendous protest mass meeting on March 25, before which W. Bourke Cockran, Mooney's attorney, declared this issue deeper than the war crisis.[10] Meantime a formidable peace party was making its appearance in nearly every labor organization in the state.

The remoteness of the European conflict, combined with

[9] This was in spite of the fact of a bitter hatred toward the kaiser even among the German born members of the party. So uncompromising had been their criticism of the German autocracy that the *Chicago Tribune* denounced it as fanatical. See issue of January 20, 1879. When Prince Henry was entertained at Chicago as the guest of Governor Yates and Mayor Harrison, Seymour Stedman declined an invitation to honor a member of the Hohenzollern family by his attendance, an action enthusiastically applauded by all socialists. *Illinois State Journal,* November 29, 1917.

[10] *Chicago Tribune,* March 26, 1917. "How can we engage in a foreign war," Cockran asked, "if here in the heart of the country there is a conspiracy to destroy the structure of the government?"

a lack of real popular interest in international relations, left a vast mass of the citizens inert and unresponsive to the champions of an appeal to arms. This element gave scarcely more of a hearing to the active champions of peace; time and the course of events alone could determine what path it would choose to pursue.

While the rising tide of wrath against the offensive policies of the German government was being combated by these pacifist forces, Governor Frank O. Lowden at the helm in the state capitol prepared calmly for the worst and gave orders in no uncertain tone. He demanded aggressive and efficient performance of every duty to the state and the nation.[11] When, on February 3, the news came that the American government had severed diplomatic relations with the German empire, Governor Lowden immediately telegraphed to President Wilson a promise of his coöperation and gave out a statement calling upon the people of Illinois to rally to the hearty support of the national government. Three days later he appealed in person to the general assembly to lay aside party creeds and sympathies as between the warring nations and to give the president, in the crisis, the whole-hearted support of Illinois. Resolutions had already been framed declaring that Illinois would stand by President Wilson in the pending crisis, and on February 7 these were adopted by both houses with promptness and unanimity.

Governor Lowden took his stand on the assumption that security against possible war depended upon the hearty and united action of the American people. Many Illinoisians believed, moreover, that America's entry into the world war would hasten the end of the struggle; they accepted the journalistic prophecy of Charles Edward Russell that the moral support of the United States would in itself be sufficient to

[11] In his inaugural address on January 8, 1917, he made no direct reference to the great war, but pointed to its administrative lessons as demonstrating "that democracy must function better in the future than it has in the past." This alone suggested "a man who has in mind the situation in which this country would be placed by a catastrophe such as that which overtook Europe." *Illinois State Journal,* January 9, 10, 1917.

show the German people the hopelessness of the cause into which the kaiser and the German militarists had led them and that peace would follow within ninety days without a single sacrifice by the American nation.[12] Few advocates of American participation in the war even imagined that such a course would require the sending of an expeditionary force to the European battlefields.

This belief reconciled many to the inevitability of a declaration of war and made easy the plans which Governor Lowden, with the assistance of Adjutant General Frank S. Dickson, was formulating for the mobilization of the military forces of the state. As a result of the Mexican border troubles of 1916 the national guard of Illinois, the first state to have her troops mobilized for this service, was in better condition than it had been at any time since the Spanish-American War. The Fourth regiment was still in Texas, the Third regiment had just returned to Fort Sheridan, while the other commands were fairly well equipped and ready for mobilization. Volunteer drill companies were formed at different points, the first one at Peoria sponsored by the Peoria Board of Trade, but the state administration made it clear that it considered conscription necessary for the national defense. Governor Lowden and a large number of Illinois political leaders organized a campaign in favor of universal military training as the only democratic method of national defense; certain patriotic and civic organizations of Chicago arranged a gigantic parade and mass meeting at that city on March 31 to create sentiment in favor of universal service. Three days before, in spite of influences at work to obstruct legislative action, the state senate had unanimously adopted a resolution for compulsory military training and on April 4 the house concurred in its adoption.[13]

At this juncture Illinois representatives at Washington were called upon to voice the decision of their state on the

[12] *Illinois State Journal,* February 9, 1917.

[13] *Chicago Tribune,* March 27, 1917; *Illinois State Journal,* March 28, April 1, 1917; *House Journal,* 1917, p. 507; *Laws of 1917,* p. 810 ff.

momentous issue of peace or war. Inasmuch as the nation seemed on the brink of the international precipice, the question was raised by Frank Buchanan of Chicago and others as to whether or not there should be a war declaration without a referendum vote. But the real question at issue could not be brought to a settlement on account of the expiration of the sixty-fourth congress on March 3, just when international problems were reaching a crisis.

President Wilson therefore called a special session of congress to meet on April 2. The minds of the legislators were already made up when they gathered at Washington and listened to the war recommendation of the president; but a few days were spent in a verbal reviewing of the situation. A small but active group which was determined to defeat the war resolution had for its spokesman in the house Representative Fred A. Britten of Chicago. He declared that an overwhelming majority of the people of the country were opposed to war and offered an amendment that only those forces that specifically volunteered for foreign service should do land duty outside the United States. This resolution became the subject of the last extended debate in the hour before the war resolution passed. Congressman-at-large William E. Mason also explained his opposition to a declaration of war.[14] When the vote was taken the names of five Illinoisians were found among the fifty who voted in the negative.[15]

In spite of the belief of many that American troops would never fight on the soil of Europe, the war resolution meant a call of the nation to arms. The local organizations of the national guard were the first contribution made by Illinois to

[14] In the course of the debate, Representative James R. Mann, who, as republican floor leader, was one of the active exponents of the resolution, paid "a tribute to the courage of those members of the House who in the exercise of the responsibility cast upon them have had the courage to express their opposition to the pending resolution—I do not agree with them, but this is a time when members of this body, aye, all the citizens of the country, have the right to express their opposition to the war, for to-morrow, when war is declared, it will become the duty of all citizens to uphold the honor and the power of the Republic." *Congressional Record,* April 5, 1917, p. 219.

[15] *Ibid.,* 243 ff. These were Britten (Chicago), Fuller (Belvidere), Mason (Chicago), Rodenburg (East St. Louis), and Loren E. Wheeler (Springfield).

the great American army that was put into the field. Even prior to the declaration of war certain units were called by the president into the federal service to guard important transportation ways, munitions depots, and arsenals in Illinois and adjacent states. By August 5, 1917, all the organizations of the Illinois national guard had been mustered into federal service. Included were a regiment of field artillery, a regiment of engineers, and two field hospital units and four ambulance companies organized subsequent to June 30, 1918. The total, a contribution of 25,045 officers and men, mobilized by the federal government at Camp Logan, Texas, was formed almost as a body into the Thirty-third division and was placed under the command of Major General George Bell, Jr. At the same time the naval battalion of Illinois with its 40 officers and 814 enlisted men was called into federal service.

With the regular units preparing for over-sea duty the state administration undertook to create three infantry regiments for service within the state. These were recruited and mustered in during June and July, 1917, placed under the command of Brigadier General Frank S. Dickson, the adjutant general, and brought into state camp at Springfield for a prolonged period of special training. "Illinois led every other state in the Union in organizing, equipping and training a military force for service within her borders."[16] In addition volunteer training units were organized by the state council of defense; by an act of June 25, 1917, provision was also made for the organization of a reserve militia of volunteers from the unorganized militia of the state. Under this act Governor Lowden called for six thousand volunteers on September 19, 1917, and eleven thousand additional volunteers on March 4, 1918. As a result eight regiments, one separate battalion, and thirty-eight separate companies of reserve militia were mustered in. All these organizations gave valuable training to hundreds of men who were later inducted into federal service under the selective service act. This left in the muster

[16] *Report of the Adjutant General, July 1, 1917, to June 30, 1918.*

rolls numerous gaps that were filled only by the most aggressive recruiting activities.

The outbreak of war, however, brought little enthusiasm for volunteer enlistment in the United States army. Instead of a rush for the recruiting stations, there was a rush for the marriage license bureau; many, too, sought out the bookstores to secure equipment for the benefits of the vicarious library table training camp.[17] On April 12, recruiting officers stationed at the gates of the Cub ball park at Chicago failed to secure a single recruit out of the eighteen thousand solicited.[18] Yet at the close of the first twenty days of April, Illinois with 2,427 was reported to have led all states in regular army recruiting.

It was quite evident that those numbers were inadequate to the nation's needs in the international crisis. For this reason the idea of conscription under a selective draft law gained headway. This resulted in the selective service law of May 18, 1917. On the fifth of June, 651,164 Illinoisians between the ages of 21 and 31 were registered; under later registrations 1,572,747 between the ages of 18 and 45 were enrolled. Inductions under the law drew on 188,010 citizens, bringing the total number of men furnished to the land forces by the state to 322,812. In addition, up to June 30, 1918, Illinois furnished naval forces to the number of 28,341. The grand total contributed by the state was, therefore, over 351,153.[19]

In the training of the fighting forces of the country Illinois played a very important part. Camp Grant was established at Rockford as a cantonment to train a part of the national army. A series of officers' training camps at Fort Sheridan contributed a large share of the officers who organized the vast American army. The Great Lakes naval training station

[17] *Chicago Tribune,* April 10, 11, 12, etc., 1917. On April 9 in Chicago alone, where the recruiting offices secured but a small number of recruits, 1,126 marriage licenses were issued.

[18] *Illinois State Journal,* April 13, 1917.

[19] Statistics from report of Major Edgar B. Tolman to Adjutant General Frank S. Dickson for 1918; *Second Report of the Provost Marshal General to the Secretary of War on the Selective Service System,* p. 458 ff., 468 ff.

was the training school for recruits from the central west to the naval forces of the United States. A school of military aëronautics connected with the University of Illinois provided many of Uncle Sam's aviators with their preliminary theoretical preparation; Chanute field at Rantoul and Scott field at Belleville completed the conversion of these recruits into full-fledged flyers.

Soon Illinois was seething with every kind of war activity. The business man exchanged his desk for one in a government office, the artisan went into a war supplies plant, the farmer accepted the self-imposed discipline of a vast land army; while the physician and the dentist left their practices for the medical corps, the engineer placed his specialized training at the service of the military arm of the nation, and the reserve man power of the state found places in the complex machinery of the civilian organizations handling war and relief work. It was obvious from the start that the war furnished more than a simple military problem.

The implications of the principle of universal service soon became evident to that portion of the citizenry of Illinois that escaped the call to arms. As a result almost the entire population of the state was conscripted to take some active part in the struggle. This noncombatant service was in some instances official, in other cases quasi-official, and sometimes had no other foundation than the enthusiastic desire of those who were forced to stay at home to do their bit in their own way. Within a month after the outbreak of the war, Hinton G. Clabaugh, superintendent of the federal bureau of investigation at Chicago, reported "about one million" offers to work for his branch of the government without pay.[20] It was in this

[20] *Chicago Tribune,* May 5, 1917. Within three months the "American Protective League," a volunteer secret service organization originated in Chicago and soon had the wealth and brains of Chicago and the country behind it. "Its scope covers every city, town, and hamlet in every section of the United States. It has a membership of 200,000 with a million intelligence agents or operatives active in the field of service. Bank presidents, railroad heads, judges, lawyers, and other captains of industry are zealous workers in this national army of detectives. . . . Its achievements in Chicago alone may be summarized in this way: In the short period of organization 3,000 persons

spirit that the state council of defense was organized, that the machinery of the Red Cross was extended, that Liberty loan drives were engineered, and that innumerable special war work campaign committees were created overnight to take their parts in the vast system of civilian service.

The official clearing house for all these agencies was the state council of defense of Illinois. Created by an act of the general assembly approved on May 2, 1917, it was part of a general machinery of organization under which the nation at large was shifted to a war footing. The council consisted of fifteen persons — experts on matters pertaining to national or state defense — appointed by the governor to serve without pay. It coöperated officially with the different officers, departments, institutions, and agencies of the state and with local and municipal officers, and maintained close and friendly relations with all organizations engaged in relief or war work.[21]

There was a dramatic scene when, at the summons of Governor Lowden, the members of the council came together for the first time. Samuel Insull, the public utilities magnate of Chicago, and J. Ogden Armour, the well-known packer, two giants in the world of capital, doubtless received a tremendous shock when they faced as their associates in the council John Walker and Victor Olander, president and secretary respectively of the Illinois Federation of Labor. Here were the opposite poles of the industrial world, men who as traditional opponents had learned to fear, if not to hate, each other for the very power which they had come to wield. The governor saw the issue and rose directly to meet it; in well-chosen words

have been investigated. This covered every known form of federal disloyalty, including slackers. Nearly 5,000 agents are at the constant command for movement of troops from Chicago territory. Day and night twenty-five automobiles are kept in close proximity of the federal building for emergency use." Clipping from Chicago newspaper, August 25, 1917.

[21] See State Council of Defense of Illinois, *Information Documents*, especially number 5, "The State Council of Defense of Illinois; what it is and what it does." The membership of the state council of defense, as constituted by Governor Lowden, was as follows: Samuel Insull, chairman, J. Ogden Armour, Dr. Frank Billings, Mrs. Joseph T. Bowen, B. F. Harris, John H. Harrison, John P. Hopkins, Levy Mayer, John G. Oglesby, V. A. Olander, David E. Shanahan, John A. Spoor, Fred W. Upham, Charles H. Wacker, and John H. Walker.

he pointed out their community of interest: "This war can be won by neither labor nor capital, alone. Gentlemen, you have got to work together!" And then the compact was sealed. Perhaps no other single episode so well explains the part which Illinois came to play in the world war.

From its headquarters in Chicago this state council of defense directed all war activities in the state. It functioned through eleven standing committees on auditing, coördination of societies, food production and conservation, industrial survey, labor, law and legislation, military affairs, publicity, sanitation and public health, survey of man power, and women's organizations, and a special committee on conservation of financial resources. In order to coöperate with neighboring states it organized a conference of the councils of defense of thirteen Mississippi valley states, with Samuel Insull as chairman. It also organized twenty-one classes of subordinate bodies which supervised developments in the counties and in the local communities of the state. In less than a year the council was able through these subordinate bodies to marshal an army of over fifty thousand active war aides working directly under the council and accepting its instructions virtually as orders.

The state council of defense maintained close and friendly relations with all official, quasi-official, and philanthropic organizations engaged in war and relief work in Illinois. The American Red Cross was actively in the field from the outset and developed increasing efficiency. The army Y. M. C. A. and the Knights of Columbus maintained reading, writing, and recreation rooms at army, navy, and aviation camps, cantonments, and stations. The "Four-Minute Men,"[22] the Liberty loan campaign committees and directors, the American Protective League, and the National Security League, as a result

[22] The "Four-Minute Men" movement was originated in Chicago in March, 1917; on April 28, it was incorporated under a state charter and soon after became a national organization. Illinois, the birthplace of this organization, probably carried its activities farther than did other states. At the close of its work there were in Illinois 2,800 regular "Four-Minute Men" speakers, 994 speakers in the fraternal section, 1,195 speakers in the church section, and 68 in the labor union section, making a total of 5,057 speakers. "The audiences numbered 800,000 people per week."

of their common coöperation with the state council of defense, carried on their respective lines of activity with little unnecessary duplication.

For Illinois, as well as for the nation, one of the most difficult tasks was that of adequate production and satisfactory distribution of food products. The Mississippi valley was the granary of the continent; Illinois, the greatest of all food producing states, was its center; and Chicago was the great market and distributing point for the food supplies of the nation. With food riots not only in hungry Europe and in congested New York but even in Chicago, Illinois agriculturalists were ready to pronounce food America's greatest possible contribution to the war. "Food will win the war!" was one of the first war slogans sent out from Washington. Under its compelling appeal the state council of defense and the Illinois branch of the federal food administration grappled earnestly with a problem which made heavy demands upon the industry of the farmer, the conscientiousness of the middleman, and the zeal and enterprise of the housewife. Inasmuch as a farm labor shortage already existed throughout the west, making impossible the maximum planting and harvesting of foodstuffs to ward off the threatened world famine, a call was sent out for recruits to the land army.[23] Farm labor recruiting stations were set up in newspaper offices and in public and quasi-public buildings. Appeals were made to men unfit for active service and to boys over fourteen. Though both groups made some response to the appeal, it was soon evident that plans for the organization of a civil-military service for war work were too complicated to meet the immediate need. It was not long, therefore, before deferred classification was given to prospective draft men engaged in agricultural work.

In a very short period of time an efficient organization

[23] In the early days of the struggle, after Governor Lowden had issued a proclamation asking the state to mobilize its forces for increasing production of food, the battle-cry "Farm and Army" was raised by Theodore Roosevelt in a stirring speech at Chicago and taken up throughout the country. *Illinois State Journal*, April 16, 29, 1917.

of the school boys of the state was developed through the United States Boys' Working Reserve. Burridge D. Butler, who was appointed federal-state director for Illinois, worked in close coördination with the council of defense; coöperation was also secured with the schools, colleges, and other organizations. For Illinois a plan was adopted whereby an elementary agricultural course was offered in over seven hundred high schools; over 15,000 boys studied this course. The school year was revised to meet the demand, and school credits were given for farm work. As a result 45,000 boys were enrolled in the reserve and 21,000 were placed on farms; crops worth $23,000,000 were raised and the boys' earnings totaled $1,200,000. Here was an experience that taught constructively the lesson of patriotism and the obligations of citizenship.[24]

American participation in the war brought about spectacular increases in the prices of all staple food supplies. In a period of six weeks the price of flour nearly doubled. On May 12, 1917, the Illinois state council of defense went on record in favor of federal price regulation of coal, food, and other basic commodities. Federal agents had already begun to study operations in the trading pit of the Chicago Board of Trade, but on May 11 the directors of that institution took action to prevent speculation. It was quite obvious, however, that business men had not yet fully adjusted themselves to the grim facts of war. On May 15, J. Ogden Armour, meat packer, member of the Illinois state council of defense and of the advisory committee of the council for national defense, declared that a "business-as-usual" program would guarantee the continuation of the prosperity of the country in spite of the war.[25] The federal government soon felt it necessary to inaugurate a general food investigation in Chicago to discover why, with storage houses packed to their capacity, "bursting

[24] Annual report of the United States Boys' Working Reserve in Illinois, July 1, 1917, to July 15, 1918.

[25] *Illinois State Journal,* May 16, 1917.

with food," prices were steadily soaring. Indictments were soon returned and prosecution was begun against a group of individuals and firms dealing in butter and eggs. It became evident that drastic food control was necessary and a federal war food bill became a law on August 10, 1917.

The Illinois division of the United States food administration was created informally in July, 1917, under the authority of the president, to develop emergency departments to care for the war situation. Even in advance of the law of August 10, 1917, which clarified the situation, Harry A. Wheeler and Robert Stevenson, Jr., his assistant, were organizing the work in Illinois, making a thorough survey of the situation, and preparing a campaign for a twenty-five per cent increase in the wheat crop of Illinois. Mr. Wheeler was the first federal food administrator appointed under the act of August 10.

The state was promptly divided into fifteen districts, each in charge of a Chicago business man who completed the county and local organizations and who held daily conferences with his associates at the Chicago headquarters. A food conservation campaign inaugurated late in 1917 resulted in the signature of pledge cards by 850,000 families, or about sixty per cent of the total in the state. A number of regulatory features were inaugurated; a committee created to interpret retail food prices undertook to prepare and publish the fair wholesale prices of food commodities and fair minimum as well as fair maximum charges to the consumer. This plan was an Illinois contribution and was later adopted by the federal food administrator for use throughout the country. Illinois was the first state to appreciate the necessity of conserving the sugar supply through more uniform distribution. The machinery devised by the Illinois division prepared the way for the compulsory regulation of both wholesale and retail distribution that became necessary in May and June, 1918. In a similar manner, through coöperation with the trade, the allotment of wheat flour to manufacturers and distributors, its conservation by bakers, food conservation in hotels and restaurants, and the

establishment of fair prices for milk and ice were accomplished. To reënforce and supplement the publicity work undertaken by the division, a department of investigation and enforcement was created in 1918 to summon violators of the regulations and to hold hearings. About three thousand cases, many of which were the result of ignorance, were reviewed; deliberate evaders were referred to the legal department of the government. In the main, however, the work of the food administration was effective because of the coöperation of the various forces involved.[26]

The coal problem of Illinois was first supervised by the Illinois state council of defense, which inaugurated a campaign for increased production and more adequate distribution. In July, 1917, the problem of price control became serious enough to lead to a conference between the secretary of the interior, Franklin K. Lane, and a special committee of seven operators from Illinois, in which a maximum price was agreed upon.

Evidences of unpatriotic profiteering, however, aroused both the governor and the Illinois state council of defense, which, in a meeting on July 17, agreed that the situation might require a drastic regulatory policy. The state council summoned representative coal operators to a conference in which fair prices for coal were announced; but the operators appealed to Washington for federal intervention in their behalf.[27] They hoped to get from Secretary Lane a declaration supporting a schedule of reduced prices recently made effective by the Peabody Company.[28] The governor was able, on August 10, however, to effect with a committee of coal operators an arrangement by which Chief Justice O. N. Carter of the supreme court of Illinois became director of coal; with

[26] This is the conclusion of Robert Stevenson, Jr., deputy food administrator, and in active charge during 1918.

[27] *Illinois State Journal,* July 28, 1917. In August, Governor Lowden and Governor J. P. Goodrich of Indiana conferred over the coal situation and the possibilities of compelling coal operators to reduce prices.

[28] "The chairman of the Coal Production committee of the National Council of Defense was Mr. Francis S. Peabody, by all odds the largest coal operator in Illinois. It was, therefore, easy for Mr. Peabody to agree upon the price of coal in Illinois with the operators of Illinois." *Illinois State Journal,* August 21, 1917.

the aid and advice of a permanent committee composed of three members of the state council of defense, three representatives of the Illinois Coal Operators' Association, and three members of the Mine Workers, he was given power to fix prices and to make other regulations. Again the operators appealed to Washington and urged federal control, claiming that the Illinois plan did not meet with the approval of the federal trade commission. In a subtle way they encouraged a widespread miners' strike by suggesting that it was the inevitable result of state regulation. Governor Lowden tried, however, to reconcile the Illinois plan with federal policy. At the same time the Illinois representatives at a conference on the question of federal regulation of coal, attended by the governors and councils of defense of thirteen mid-western states, won over the conference to the Illinois position of having the states coöperate with the federal officials in working out the details of an arrangement for drastic supervision, regulation, and control.[29]

The coal operators now definitely ignored or repudiated the arrangement accepted by their committee, but Governor Lowden instructed Judge Carter to continue his work as state coal controller and directed Attorney-General Brundage to determine the procedure necessary if the state should deem it expedient to seize and operate the mines.[30] Meantime President Wilson received the resolution of the mid-western conference and held personal interviews to learn the cases of the mine operators and miners. The result was the president's announcement on August 21 of a schedule of mine prices fixed on the basis of cost of production furnished by the federal trade commission.[31] The regulation of the local distribution

[29] *Illinois State Journal,* August 17, 1917.

[30] The attorney-general reported favorably as to the power of the state and outlined the necessary legislation. *Ibid.,* September 1, 1917.

[31] Illinois' run of mine coal was set at $1.95 and third vein at $2.40. These prices were considered by the conference of governors and representatives of state councils of defense as "very liberal to the operators!" On October 27, 1917, President Wilson granted an increase of 45 cents a ton to be absorbed by recently allowed wage increases.

of the coal was handled by the Illinois branch of the United States fuel administration, of which John E. Williams was in charge. A county fuel administrator was selected in every county, and the federal machinery was reënforced by the corresponding departments of the state council of defense.

When the great war came to America it brought a peculiar summons to the women of Illinois, as elsewhere, to put aside all trivialities in order to make way for a larger task. The war wakened the imagination of a large number of the women of the state and compelled many for the first time to visualize themselves as citizens with a real duty to their state and nation. From the very beginning willing hands dedicated themselves to the knitting needles, to the varied tasks of the Red Cross workrooms, and to such lines of endeavor as the situation seemed to demand. Few, if any, of the three million women of Illinois failed to take some part in this war-time adjustment.

The woman's defense committee of the council of defense, elaborately organized into general and special departments, reached out into the communities of the state for what was doubtless as vital a contact with the women of Illinois as the state council accomplished in its regular field. Its organization department kept county executive committees at work and stimulated the activities of women's organizations already in the field. Its department of finance undertook a campaign to raise a $100,000 fund which was well along when the armistice was announced. Its departments of publicity, of speakers, and of war information kept alive a keen realization of woman's part in the struggle. Its departments of food production and of food conservation sent their messages to the women of the state through lectures, special bulletins, and through newspaper items. A department of registration undertook to list all available workers who, as calls came in, were carefully placed in accordance with their tastes or qualifications; in a little over a year 663,980 women were registered

for war work. Thus did a new labor power respond to the need of the state.[32]

War emergency courses to provide for the training of women in a wide range of subjects, from agriculture to telegraphy, were listed and information bulletins were drawn up and made available. Over twelve hundred candidates were recruited in a few months to help fill the state quota of three thousand nurses. To aid women who, because of the military service of their sons or husbands, were compelled to earn a livelihood, an employment department was created in February, 1918; two or three thousand applicants were listed in the ensuing months and several hundred were placed in positions. On July 1, 1918, this department became a branch of the federal department of labor and worked in close coöperation with the federal employment service. A particular effort was made to care for elderly women whom economic needs compelled to seek employment. The woman's committee inaugurated a feature not found outside Illinois, that of establishing a mending shop where white-haired matrons as old as 80 and 82 years could receive compensation by the hour for darning, mending, and remaking garments.

Thus it was that the women of Illinois were engaged not only in general war service work like the making of surgical dressings and hospital supplies, but were also placed in tool shops, in railroad stations, in drafting rooms, in chemical plants, and in a hundred and one other kinds of employment. One of the most interesting fields of endeavor was entered in the spring of 1918, when the Illinois branch of the woman's land army was organized. To be sure, from the earliest days of the war the mothers and sisters of many Illinois farmers called to the colors had quietly taken their places in the fields,[33] but at length it was realized that before the average woman could be useful for farm work she must be trained in diversified

[32] A special attempt was made to recruit teachers and students for summer service of all sorts.

[33] See also action of Illinois Farmers' Institute. *Illinois State Journal,* April 11, 1917.

farming. For this reason a six months' training course was established on a farm of two hundred acres loaned to the woman's committee of the state council. The first season formally closed on September 17, 1918; in all, seventy-three girls received training at the farm, with its seven-acre truck garden, its canning department, its stock, and its crops. They also assisted neighboring farmers with their harvesting. In six months twelve hundred applications for agricultural work of various kinds were filed with the woman's committee.

Important as were the conservation of food and other resources and the enlistment of all available labor units, the conservation of the health and good spirits of the citizenry was considered equally vital. The woman's committee, recognizing this, had active departments of women and children in industry, of social service, of recreation for girls, of social hygiene, and of child welfare. In a conference called by Miss Julia Lathrop of the federal children's bureau, Illinois was assigned 5,625 children as its share in a program to save 100,000 of the 300,000 children under five years of age who die annually in America, mostly from preventable causes. An attempt was made to weigh and measure every child in the state; educational advice and literature were issued to mothers; mothers' conferences were arranged and child welfare stations were established, especially in Chicago. A campaign for universal birth registration was inaugurated; a health crusade in the public schools in coöperation with the parent-teacher associations was arranged. Women and children engaged in industry were carefully watched over in the interest of health and education. Healthful recreation for girls was planned and carried out with a close coördination of all recreational agencies; and the social hygiene department undertook a campaign to educate the civilian population as to the dangers of social diseases, as to the responsibility of women for upholding the high standard of morals expected from soldiers and sailors, and coöperated in providing treatment for women afflicted with venereal diseases. In June, 1918, a conference of eight

hundred earnest women leaders from every part of the state assembled at Chicago to take stock of a year of endeavor;[34] it bore eloquent testimony to the fact that the women had made the necessary response to the summons of war.

The educational institutions of the state from the colleges and universities to the kindergartens offered the stimulus to patriotism of a rousing competition in Liberty loan drives, Thrift stamp campaigns, and Red Cross work.[35] The daily lesson on conservation and the enthusiasm for American war aims instilled by the teacher also made the schools most important publicity agents. Military drill was introduced in a number of communities, and the high school boys, anxious to do their share in war preparations, fell enthusiastically into line.

The state council of defense received valuable assistance and coöperation from the public schools of the state and from the University of Illinois, the state normal schools, the University of Chicago, Northwestern University, and the colleges. The universities very naturally took a leading rôle. With the outbreak of the war different institutions organized and equipped ambulance units and sent them into the field. At the same time, hundreds of senior students left for military and farm service under rulings providing for graduation on existing credits, while undergraduates were given semester credits for similar service. To arouse the communities in which the institutions were located, public lectures were arranged for and special "war courses" in military science, home nursing, economics, food conservation and preparation, and war history were organized. The faculty, students, and operating staff were usually treated as a unit when war fund drives were conducted in the college municipality, and the success of the

[34] For a record of these activities see the monthly reports of the woman's committee, the first of which was issued March 17, 1918; also Ward, "Practical Patriotism, the Work of the Woman's Defense Committee of the Council of National Defense, Illinois Division," in *The Survey*, August 17, 1918, p. 556 ff.

[35] Governor Lowden and his family awarded three Liberty bonds to the schools of the state selling the greatest number of bonds in the third Liberty loan drive. *Illinois State Journal*, August 16, 1918.

drives was increased by competition among institutions. In the summer of 1918 war conditions threatened to drain the colleges of all able-bodied men students; then suddenly, under a wholesale reorganization, the student's army training corps converted the college campus into an armed camp and the pedagogue and the tactician vied with one another, each trying to subject the student-soldier to the orthodox discipline of his field.[36]

The political development of Illinois during the war reflects the highest devotion to the welfare of the nation. The decision in favor of war having been made, President Wilson found that he could rely upon the loyal support of the Illinois delegation at Washington to a man. Senator James Hamilton Lewis, democratic whip in the senate, was a useful exponent of Wilsonian policy. He was constantly taken into the confidence of the president and delegated the task of stating the executive policy on domestic issues and even in different phases of American foreign relations. He urged the nation and congress to intrust themselves fully to the leadership of the president, to the point of a practical dictatorship, if necessary.[37] Lawrence Y. Sherman, his republican colleague, found it difficult to coöperate with the president on details of policy. At times he could not forbear pointing out his conviction that

[36] In many ways the University of Illinois was a state center and an epitome of the school in war time. As early as February 6, 1917, President Edmund J. James offered the national government the facilities of the university in the event of war. The sum of $4,810 was subscribed for an ambulance unit and a war fund of $718,800 was raised, of which $77,000 was its donation to relief work. The university hung out a service flag which represented a contribution of over 4,000 to active service besides an enrollment of 3,415 in the student's army training corps. In May, 1917, a school of military aëronautics was established at the university where at times nine hundred student aviators were in training. Some special contributions of the university were its publication of war leaflets and pamphlets, its extension lectures throughout the state and in military camps, and the development of a food production program for Illinois. See summary of "Report of the War Committee of the University of Illinois for 1917-1918," in University of Illinois, *Bulletin,* volume 15, number 49.

[37] After a conference at the White House on October 1, 1917, in preparation for the forthcoming recess of congress, he declared: "I think it would be wisdom for congress to pass a law giving the president full power to do anything in the recess of Congress that may be called for by any sudden emergency, whether from international complications or home price fixing of commodities for war necessity." *Illinois State Journal,* October 2, 1917.

it was the president's neglect in matters of national preparedness during the early years of the European war that had dragged America into the struggle; he could not watch with equanimity the growth at Washington of a "presidential dictatorship" of a socialistic trend under "executive whip and spur;" he sought in vain to reserve comment upon such topics until the war was over.

In general the Illinois delegation with every emergency developed its devotion to the cause of the nation. In the house, Medill McCormick stood out for constructive and energetic service and for his skillful political appeal to the men in the field and to the voters at home. Another point of view was represented by Congressman "Billy" Mason, whose championship of the freedom of speech and press and of other civil liberties at a time when public opinion clamored for a single eye upon the brutal foe did not deter him from securing a renomination and reëlection at the hands of the "party of preparedness." Perhaps no other state could select from its congressional delegation a quartet that together combined such diverse but integral components of stalwart Americanism.

Within Illinois the political forces showed the same composite zeal for the national welfare. At Springfield Governor Lowden and his aides brought every pressure to bear for a more effective prosecution of the war. There was strength in the orders that issued from his hands, power in the words he spoke to influence the citizens of the state to coöperate with the driving energy that he loosed. Meantime in Chicago, the very seat of the special war organizations of the state, Mayor William H. Thompson, an old political associate and a republican national committeeman, was pursuing different tactics. When war clouds first threatened he issued a warning against "a hysterical demand" for war and for sending "the glorious young manhood of America to foreign battle fields like sheep to the shambles."[38] After the passage of the war resolution

[38] *Chicago Tribune*, March 31, 1917.

he declared himself opposed to conscription and to sending troops abroad. Next he declined to act on a suggestion that he extend to the French commission headed by Marshal Joffre an official invitation to visit Chicago, claiming that this was a prerogative of the city council, to whom he referred the matter.[39] If the mayor's policy was purely a matter of political expediency, he was doomed to disappointment as friends and supporters began to drop away. On June 11, 1917, the city council by a vote of sixty to eight proclaimed the loyalty of Chicago in terms that were intended as a rebuke to the silence of the city executive. The mayor did succeed, however, in holding together his political machine, and his weekly organ, *The Republican,* continued directly or indirectly to challenge the wisdom of the nation in entering the European conflict and in supporting the policies adopted at Washington.

Mayor Thompson's position doubtless encouraged the position of other critics of the war or of war politics. On the whole, alien enemies and citizens of foreign birth and descent caused little trouble. Most of them acquiesced in the fact of war and the grim determination of the nation to see it through. Many offered their sons, their money, and their efforts in the same spirit in which the German-Americans of Illinois had always stood by America in its needs; most of the rest were drawn into some part of the struggle by the numerous war "drives" and patriotic campaigns. Some complained that all their contributions and sacrifices were rewarded by continued and constant mistrust and on occasions by suspicion; their plaint "we have done everything that we ought and can, but in vain!" inevitably found an accompaniment in more or

[39] He was quoted as having said that since Chicago was the sixth "German city" in the world, he did not know how the people would feel about receiving the hero of the first battle of the Marne; in 1915, his democratic competitor, Robert M. Sweitzer, defined Chicago as "the sixth German city" in an appeal to the large German vote. Chenery, "Politics in Chicago," in the *New Republic,* March 15, 1919, p. 213. Nevertheless, on the occasion of the visit the mayor took his proper part in the reception of the commission. Likewise, although opposed to conscription, he coöperated with the federal authorities in the registration work required by the draft law.

less opposition to or criticism of the governmental policy.[40] The large German and Austrian districts in Chicago and in southwestern Illinois nursed latent sullenness, revealed at times by a violent outburst by some passionate alien. In Chicago the federal legal authorities silenced the more active offenders and the other disaffected parts were brought into line by the agents of the department of justice and by the carefully selected German-American spokesmen which the state administration delegated to this task. It is in many ways remarkable that, with the army of officials and volunteers bent upon detecting treachery, so few German-American citizens were convicted of or even charged with acts of treason or disloyalty.

The action of the socialists of the nation in adopting an anti-war platform at an emergency convention at St. Louis made the socialist party an official anti-war organization when the platform was overwhelmingly ratified by a referendum of the party members. All the traditional hostility of the socialist movement to international warfare found expression in the emergency convention and did not permit the party's position to be modified to the stern hard facts when the deliberations at St. Louis were overtaken by the adoption of the war resolution at Washington.[41] The national headquarters at Chicago consistently adhered to the St. Louis platform and planned to follow it up by a campaign against the adoption —

[40] To these the editor of the Chicago *Abendpost* sang out: "The citizens of German blood have not done all that they ought and can. . . . They held back cool and in part noticeably aloof. And there were some who mocked at democracy and the attempt to assure it to the German people." Explaining President Wilson's war aims, he appealed to all citizens of German origin, all their *Vereine* and other organizations to raise their voices in loud approval. *Abendpost,* October 25, 1918. This editorial policy accompanied a three thousand increase in the circulation of the *Abendpost,* though the *Illinois Staats-Zeitung,* the old German republican organ, found it necessary to give up publication. President Wilson expressed pleasure at some of the *Abendpost* editorials submitted to him by Senator Lewis. James H. Lewis to Paul Mueller, October 1, 1917.

[41] Aldermen Kennedy and Rodriguez, the representatives of the socialist strongholds in Illinois, had fought persistently against the preparedness agitation of 1916 and after the declaration of war were the mainstay of an anti-war corporal's guard in the Chicago city council. In April, 1917, in spite of an aggressive "disloyalty" campaign against him on account of his anti-preparedness and anti-war record, Kennedy was reëlected alderman for the Twenty-seventh ward.

and later for the repeal—of a draft law, against any interference with freedom of speech or press, in favor of the conscription of wealth and the public ownership of all industries vital to the prosecution of the war, and for an early and democratic peace. This was the burden of the propaganda of the *American Socialist,* the official weekly of the party, and of the literature distributed by the society. The party refused to believe that the nation was anything but anti-war. "That the people are overwhelmingly against the war," declared William Bross Lloyd, a "millionaire socialist" and one of the minority owners of the *Chicago Tribune,* "is shown by the enlistment figures, the claim of exemption percentage, and the lack of popular support of the Liberty [so-called] loan."[42]

About the end of June, 1917, the federal government began a drive against anti-war critics. The post office at Chicago held up the issues of the *American Socialist* and soon revoked its second class mailing privileges. This was followed in September, 1917, by a raid on the national, state, and local headquarters of the socialist party and the offices of the *American Socialist,* a blow which compelled the suspension of that organ.[43] The federal department of justice also began to haul in its dragnet, and a number of socialists were arrested under the espionage act; at the time, however, there were few convictions. Adolph Germer of Chicago, executive secretary of the party, was acquitted at Grand Rapids of charges of conspiracy against the selective draft by the circulation of socialist party literature.

In the fall of 1917 the rapidly growing socialist strength threatened to be a significant factor in the judicial election

[42] *Chicago Tribune,* June 16, 1917.

[43] Copies of all the party's anti-war literature, including books by socialist supporters of the war, were seized; notable among the latter were Charles Edward Russell's *War* and A. M. Simons' *Wasting Human Life. Milwaukee Leader,* September 11, 1917. It was some time before the party could develop a monthly party organ from a little weekly known as the *Eye-Opener,* which had long circulated in Chicago; and it found it necessary to steer a very cautious course in order to survive post-office interference.

in Chicago. As a result the two old-line parties combined on a fusion ticket to reëlect the sitting judges; and the best talent of the state was enlisted in its support. The socialist ticket received the support of many of the defenders of civil liberty and of the opponents of the war profiteers; it also became suddenly popular in the German districts. At the election its vote leaped to 88,000, but the bipartisan candidates polled nearly twice as many votes.

The prejudices aroused by this campaign soon rendered difficult the traditional socialist propaganda. In Chicago the board of education immediately passed a resolution closing the public schools, which had previously been available for socialist lectures, to the "spreading of disloyalty."[44] In Springfield, the socialist local had for some time conducted lecture courses with the permission of the school authorities; now suddenly this arrangement was challenged and a permit was refused in the case of Seymour Stedman, the Chicago attorney who was scheduled to take part in a debate on government ownership. To the charge of propagating pacifism in these lectures, the socialists offered satisfactory evidence that no references to the war had been made, and promises were given that Stedman would not touch upon the war. But the *Illinois State Journal,* November 29, 1917, adequately stated the case: "Just the mere announcement that a socialistic orator will participate in a joint debate upon any topic, in one of the public schools, is sufficient to send a thrill of indignation throughout the city, and to start in motion a wave of resentment against school officials for permitting the announcement to be made, even though it was without their sanction, and without their knowledge."

The growing popular feeling against the socialists and other anti-war forces furnished a basis for a drastic amendment to the espionage act in May, 1918, which prohibited under heavy penalties all criticism of the government of the United States. As a result socialist agitators everywhere found

[44] *Chicago Tribune,* November 8, 1917.

their activities very much curtailed, until finally the national leaders of the socialist party were indicted for conspiracy under the espionage act. The Chicago officials, Adolph Germer, national secretary, J. Louis Engdahl, editor of the party publications, William F. Kruse, director of the "Yipsels," and Irwin St. John Tucker, "knight errant of socialist evangelism," together with Victor L. Berger, the Milwaukee leader, were tried and convicted. Many critics of socialism shared with William Bross Lloyd the belief that the socialist party was on trial and that the verdict proved that the courts and prosecuting attorneys viewed it as "an illegal criminal organization."[45]

The Industrial Workers of the World, a revolutionary labor organization with only a small membership in Illinois, furnished a problem of importance to the state on account of the location of its national headquarters at Chicago. A few minor labor difficulties at Chicago plants may have been fomented by I. W. W. agitators, but the main scene of their activities was in the west, where they stirred up the agricultural and industrial workers. They were suspected of having interfered with the operations of the draft law and of having attempted to hamper every objective of the government in its military preparations. On September 5, 1917, a raid was made on the I. W. W. headquarters and on the residences of its officers. Literature and records which were seized were turned over to the federal grand jury that had begun an investigation; later in the month a blanket indictment was returned in the United States district court which charged a nation wide conspiracy by 166 I. W. W. leaders to hamper the government

[45] *Liberator,* February, 1919, p. 13. It is interesting to note that Lloyd was never disturbed for his anti-war statements. In the closing months of the war there was a noticeable tendency among many socialists to abandon anti-war activities, and some even abandoned the St. Louis platform. At the socialist state convention at Chicago, in May, 1918, Alderman John C. Kennedy contended for a declaration supporting the government and asserting that "only force can beat Prussian imperialism;" but the convention declared for constant opposition to the war and nominated Lloyd, an aggressive anti-war man, for United States senator. Constructive agitation was attempted in drawing up a congressional platform stressing the problem of reconstruction.

during the war. Ten thousand individual crimes in a criminal campaign of sedition were charged against them. A protracted trial of one hundred I. W. W. leaders began early in the winter and ended on August 18, 1918, with a verdict of "guilty as charged in the indictment." Sentences of twenty years' imprisonment and fines of from $5000 to $20,000 were imposed upon the responsible leaders, and the prisoners were soon inmates of the federal penitentiaries.[46]

Organized labor was regarded by many as a potential anti-war factor; yet labor made one of the significant contributions to the winning of the war. With labor leaders agreed that the working classes throughout the world were opposed to war, it was no small task which John H. Walker, Victor Olander, and their followers essayed when they undertook to demonstrate that the cause of the workers can not best succeed under an autocratic government and "for that reason the Kaiser must be defeated."[47] The Chicago federation in particular was at the outset embarrassed by its traditional peace policy. There was a disposition, however, to have the local unions take up the matter with their international unions, asking the latter for statements as to their attitude and on this basis to formulate a manifesto. This gave Samuel Gompers and the American Federation of Labor an opportunity to wield their influence in behalf of Wilson's policy, and soon Chicago and the

[46] It is interesting to note that Alexander Sidney Lanier, a lawyer of long experience, as a captain in the military intelligence division, general staff, United States army, was authorized to make an official summary of the evidence and testimony; that, in spite of uncompromising prejudices against the I. W. W., his careful consideration of all data in the forty thousand typewritten pages in the record led to the following conclusions: That the indictment was "fatally defective in that it does not give or convey to the defendants sufficient information of the nature and cause of the accusations against them, which is their right under the sixth amendment to the Federal Constitution. . . . that the evidence is, in my opinion, insufficient on the whole, to show and establish beyond a reasonable doubt a *conspiracy* as charged in the indictment;" and "that the verdict rendered was a foregone conclusion from the beginning in obedience to a public hysteria and popular demand, due to the psychology of the times." Alexander Sidney Lanier to the president, *New Republic,* April 19, 1919, p. 383 ff. See also Nelles, Walter, "Analysis of the indictment . . . returned against 166 I. W. W. members and sympathizers by the federal grand jury at Chicago, Ill., September 28, 1917," in *The Truth About the I. W. W.,* published by the national civil liberties bureau.

[47] *Illinois State Journal,* June 28, 1917.

other labor centers were swung into line.[48] Soon the working classes were contributing recruits to the army and dollars to relief work; and labor unions began to invest surplus funds in Liberty bonds. By October, 1917, therefore, the Illinois Federation of Labor gave an enthusiastic indorsement of the work of its leaders. Declaring that "Labor entertains no delusion as to the consequences of the war and the share that the workers are compelled to suffer," it accepted its part in "the preservation and extension of the ideals and principles of democracy the world over."[49] To the end John H. Walker sent out his appeals to organized labor "to strain every nerve to the breaking point to the proposition of winning this war."[50]

Labor sought patriotically to eliminate strikes and labor disturbances as far as possible in order to maintain harmony with the employing interests. There was some evidence that in certain cases irresponsible leaders were trying to foment trouble, but few labor difficulties arose during the period of the war. The Springfield street car strike which was protracted indefinitely in the summer of 1917 had little war significance. In August, 1917, restless groups of coal miners, aroused by the statements made by the Illinois state council of defense concerning coal profiteering, went on strike in violation of an agreement between the United Mine Workers and the Illinois Coal Operator's Association. President Frank Farrington of the Illinois district of United Mine Workers simultaneously denounced the statements of the council of defense as the propaganda of large industrial consumers of coal and demanded that the twenty thousand strikers either

[48] *Illinois State Journal,* September 14, 1917; *Chicago Tribune,* September 15, 1917. For a time opposition to conscription and to food manipulation indicated that labor in Illinois remained restless; but only the Bloomington federation seems to have remained anti-war for any considerable period of time.

[49] *Illinois State Journal,* October 19, 1917. The Chicago Federation of Labor declined to send a delegate to the September, 1917, convention of the People's Council but later, while emphatically disclaiming any sympathy with the aims and objects of that organization, protested against the action of the governors of Illinois, Minnesota, and Wisconsin in setting aside a fundamental constitutional right by prohibiting meetings of the People's Council. *Chicago Tribune,* August 20, 1917; *Chicago Examiner,* September 3, 1917.

[50] *Illinois State Journal,* September 2, 1918.

return to work or face expulsion from the union. Some improvement then became apparent, but the announcement of the program of the federal fuel administration in October aroused talk of a general strike of coal miners which was staved off only by action of union leaders. The miners soon voted to return to work, protesting against the alleged excessive profits being made by operators and demanding equitable prices for miners and consumers under government control and operation.[51] A strike of the six thousand railway switchmen of Chicago was easily settled in July, 1917, in a conference between the railway managers and labor chiefs. Labor difficulties in 1918 were promptly adjusted, frequently with assistance from the national war labor board.

The outbreak of the war divided even the pacifists of the state into two camps. One group accepted the consequences of war and an obligation to make every effort to assist in its aggressive prosecution; another element continued to dwell on its distaste for war in general and allowed its anti-war position to find expression in an attitude of warning against militaristic, corruptive, and undemocratic forces which it pointed to as the inevitable incidents of armed strife. Even the consistent pacifist claimed a patriotic rôle for his group. Jane Addams on April 31, 1917, addressed the Chicago Woman's Club on "Pacifism and Patriotism in Time of War," after her followers of the woman's peace party had held up a resolution indorsing the draft bill until it was modified to call for "universal service for men and women." Six weeks later Miss Addams was invited to deliver the same address before the current events class of the First Congregational Church at Evanston. "I do not see why people who believe in peace and who believe that killing is wrong should not speak out in time of war the same as at any other time. . . . The pacifist is making a venture into a new international ethics. He is afforded an opportunity to cultivate a fine valor. Opposition to the war is not necessarily cowardice," she was quoted as

[51] *Illinois State Journal,* October 22, 1917.

having declared.[52] After an unavailing opposition to the draft, the pacifist forces found their chief issues in the problems of the conscientious objector, in the question of civil liberties in war time, and in the issue of an early and democratic definition of peace terms. Ministers, artists, poets, playwrights, teachers, students, and labor leaders were conspicuous among those who tried to analyze the psychological emotionalism of war and match it with their rationalism.

The conscientious objector problem in Illinois was an uncertain one. In May, 1917, hundreds made applications for membership in the Chicago Friends' meeting but were not accepted in view of the coming registration day. There was little opposition to registration, but in the month of June the objectors began to coöperate and formed a bureau in Chicago which became very active in its educational campaign. Estimates of fifty thousand conscientious objectors in Chicago were not borne out by later developments. Only once were there more than two hundred objectors in the "leper colony" at Camp Grant.[53]

It was not long before the advantages of an organization of all pacifist forces became obvious. A conference for democracy and terms of peace filled the Auditorium in Chicago on May 27, and an impromptu overflow meeting at Grant Park was broken up by a charge of three or four hundred police who cracked innumerable heads and arrested many "war rioters."[54] In June a branch of the "People's Council" was organized at Chicago under the leadership of Irwin St. John Tucker, Seymour Stedman, Theodore H. Lunde, and Harriet Park Thomas, "to secure an early and democratic and general peace in harmony with the principles outlined by New Russia . . . . to urge international organization for the main-

[52] *Chicago Tribune,* April 30, May 1, June 11, 1917; *Illinois State Journal,* June 11, 1917. Her positive contribution was a proposal for an international commission to sit at Athens to insist on a more humane prosecution of the war, at least so far as the treatment of civilian populations was concerned.

[53] *Chicago Tribune,* September 13, 1918.

[54] *Ibid.,* May 28, 1917.

tenance of world peace; to induce our government to state concretely the terms upon which it is willing to make peace; to work for the repeal of the conscription law; to safeguard labor standards; and to preserve and extend democracy and liberty within the United States."[55] Under its direction a "second American conference on democracy and terms of peace" was held at Chicago, July 7 and 8, with Congressman-at-large William E. Mason as principal speaker. Later meetings of the People's Council of Chicago experienced some interference in the form of arrests by agents of the federal department of justice, but no charges were ever lodged against the prisoners taken.[56]

On September 1 a convention of the People's Council of America, originally scheduled to meet at Minneapolis but denied the right of assemblage there, was suddenly shifted to Chicago, after efforts to find other meeting places met with determined refusals by the government authorities.[57] Mayor Thompson announced that he knew of "no law under the constitution which abrogates the right of free speech" by law-abiding citizens; so that, after four special trains of delegates had been detained at Chicago, arrangements were made to hold the meeting at the West Side Auditorium.

Governor Lowden, whose attention was called to the meeting by the Chicago Chamber of Commerce, felt that a crisis was at hand, that disloyalty was fast assuming dangerous proportions, and that a serious clash might result from the meeting.[58] He therefore considered it his first and highest duty to prohibit the meeting. A conference with Adjutant General

[55] *Chicago Tribune,* June 26, 1917.

[56] Thomas H. Lunde, a Chicago manufacturer of Norwegian stock and treasurer of the People's Council, interested himself in these cases on the principle of freedom of speech and assemblage. See report of interviews with Alexander B. Bielaski, August 14, 1917.

[57] In the case of Hudson, Wisconsin, by mob violence against the party of delegates who represented the council, indignities were offered by the mob against the party, which included a woman member.

[58] *Springfield Sunday Journal,* September 2, 1917. He concluded that the convention "really intends to obstruct the government in the war in which we are now engaged and is calculated to produce disorder and rioting in Illinois."

Frank S. Dickson resulted in a decision to act through the police officials of Chicago. It was found that the organizing committee of the convention was in session and the police were ordered to disperse the meeting; this was not accomplished until a nominating committee had been appointed and authorized to act as an executive committee. Professor Robert M. Lovett, dean of the junior college of the University of Chicago, was one of the eight members of the committee. Seymour Stedman, who acted as chairman of the meeting, and others asked that they be arrested to make a test case, but the police declined.

On the next day, September 2, with the consent and protection of the city authorities of Chicago, a final session of the People's Council was held at the West Side Auditorium. The delegates were jubilant in the belief that the activity of the People's Council had been the force which had induced the president to make a satisfactory definition of his war aims in his reply to the pope. For five hours the delegates listened to speeches by Dr. Judah L. Magnes, Congressman Mason, ex-Senator John D. Works of California, Seymour Stedman, Irwin St. John Tucker, and others. In the middle of the session Chairman Stedman announced that the governor had sent troops to suppress the meeting; he called upon the assembly to obey the orders of the troops on their arrival and to disperse quietly. The apprehensive delegates listened to the remaining addresses and committee reports; and then, having adopted a resolution introduced by Irwin St. John Tucker indorsing the president's most recent statement of the war aims of the Allies, and urging the Allied powers to make similar clear and unmistakable statements of their aims, as the troop train from Springfield neared the city, the meeting adjourned.

Governor Lowden had attempted to prevent the meeting through the coöperation of General Carter, commanding the central department at Chicago, and of Sheriff Traeger of Cook county; having failed to reach either of these, he ordered the

adjutant general to proceed to Chicago with enough national guardsmen to prevent the continuance of the meeting.[59] The troops arrived too late to disperse the assemblage, but remained in Chicago for a few days to prevent further meetings of pacifists.

Before this incident Governor Lowden did not know where Illinois stood in the war; but his reasoning was: "If we are copperhead, let us find it out right now."[60] From the news that reached him of conditions in Chicago and northern Illinois he was prepared to hear that the battalion had been met by an armed mob; instead the guardsmen were greeted by a cheering crowd. With this episode the governor was convinced that the tide of disloyalty in Illinois had been turned; that the demonstration, in many ways unimportant in itself, had come at a decisive moment and had given a rallying point which made loyalty and patriotic sentiment immediately begin to mount. For the future the danger had ceased to exist. The Chicago city council applauded the action of the governor and went on record in favor of preventing any future meetings of the People's Council or any similar organization. It was some time before the Chicago branch of the People's Council was able to conduct its meetings and to renew its organization work; by that time the public temper was not favorable to its continued activity.

The zeal with which war enthusiasts sought to exterminate every sign of disloyalty made difficult the lot of every citizen who could not reconcile himself to the cold hard facts of war. Nor was Illinois immune to the insinuation of the Britisher who declared: "At least we raised our war loans without the help of highwaymen." Many a citizen faced undesirable publicity and sometimes became an innocent victim of a contagious war hysteria. So diligently did the agents of the department of justice and the volunteer workers of the American Protec-

[59] The governor was "satisfied that this meeting was designed for the purpose of bringing on draft riots and obstructing the government in other respects." *Chicago Tribune*, September 3, 1917.

[60] Notes on personal interview with the governor.

tive League operate and so relentlessly did judicial tribunals pass on certain cases, that the national civil liberties bureau found Illinois a fruitful source of cases commanding its attention. There were many persons, however, who were not content to allow the merits of certain cases to be determined by due process of law. Again and again broadcloth parties dispensed a peculiar brand of justice with the assistance of Judge Lynch. Sometimes it was merely to administer a tongue-lashing "lecture" to slackers in patriotic work, or a midnight coat of yellow paint to the premises of persons of doubtful loyalty; sometimes it degenerated into physical maltreatment — coating with tar, riding on rail, and beatings — at the hands of an angry mob aroused by a "vigilance committee" or "loyalty league." The climax for Illinois was reached when Robert P. Praeger was hung by a mob at Collinsville on April 5, 1918. This incident, involving the life of an enemy alien and a socialist who, it turned out, had given abundant evidence of a devotion to the United States and to the American flag, gained nation wide and even international attention.

Governor Lowden penetrated the danger in the situation. In September, 1917, he had served notice on all Illinois mayors that he expected them to maintain the peace against anti-war agitators or they would be superseded in control by the state military; so he now felt a like duty to restrain overzealous patriots.[61] He immediately announced his determination to have punished the members of the mob guilty of the Praeger lynching and warned officials in southwestern Illinois that recurrence of the situation would probably result in a proclamation of martial law. "The action of the mob at Collinsville," declared Governor Lowden, "was as much an assault upon the principle of democracy as the treasonable practices with which Praeger was charged, even if that charge was true. . . . .

[61] On February 25, 1918, having noticed a rise of the mob spirit, he had declared to all peace officers: "Mob rule will not be tolerated in any part of the state, even though such mob rule acts in the name of loyalty to the Government. . . . Those who take the law into their own hands at such a time are helping not our own cause, but that of the enemy."

Patriotism is a thing of such fine and pure material that it can not be made the cloak for any crime. . . . . The loyalty of the citizen in this crisis is measured, not alone by his efforts to defeat the enemy, but equally by his efforts to maintain law and order at home."[62] At the same time the governor called for a more rigorous prosecution of disloyal acts and utterances and the strengthening of the federal laws to make this possible. Local sentiment in the neighborhood of Collinsville was strongly averse to the punishment of the mob leaders. Four justices of the peace refused to issue warrants for their arrest and later a jury selected from seven hundred talesmen returned a verdict of acquittal. The outcome of the trial and the damaging use made by Germany of the Praeger case proved so embarrassing to President Wilson that he seconded Governor Lowden's stand in a formal proclamation. "There have been many lynchings," he declared, "and every one of them has been a blow at the heart of ordered law and humane justice. . . . . I can never accept any man as a champion of liberty either for ourselves or for the world who does not reverence and obey the laws of our own beloved land, whose laws we ourselves have made. He has adopted the standards of the enemies of his country whom he affects to despise." These unequivocal declarations by the national and state executives doubtless checked an unfortunate tendency in the American war spirit.

In the summer of 1918, the senatorial campaign of William H. Thompson offered a rallying point for the various factions that were not satisfied with American international policy. The republican tradition for the German-American vote, in combination with Thompson's insistent appeal against a war hysteria and a gospel of hate, insured a heavy support from that source. The pacifist-liberal, previously a critic of Thompson's political record, was offered the attractions of

[62] The governor's utterances on this question were gathered together into a pamphlet entitled "Law Supreme in a Republic, by Frank O. Lowden, Governor of the State of Illinois." This pamphlet was widely distributed from the offices of the state capitol.

strong planks in favor of a specific declaration by congress of America's war aims, the maintenance of constitutional liberty, the conscription of wealth and excess war profits, and a voice for labor in the settlement of industrial and social problems — planks which were also intended to appeal to the labor vote. These, together with the following of the Thompson-Lundin machine of Chicago, the mayor expected to bring him the republican nomination and the seat in the senate.

Thompson campaigned, however, with the entire press battery of the state leveled against him, with the exception of his organ, *The Republican.* The republican primaries presented a three-cornered fight between Thompson, McCormick, and George E. Foss. An effort was made by the strong following of McCormick and the *Chicago Tribune* to induce Foss to withdraw from the race. But the voters in September eliminated both Thompson and Foss, the former polling less than one-third of the vote with a plurality in but four counties — Cook, Perry, Washington, and Williamson. During the campaign a vigorous attack against candidates who opposed or had opposed the war was launched by the Chicago branch of the National Security League; their records were carefully compiled and exposed to the pitiless light of publicity. Congressman Britten's reëlection was strongly opposed and attacks were made on Congressman-at-large Mason, and on Edward J. King of the Quincy-Galesburg district. These attacks, however, failed to eliminate these candidates from the contest for their reëlection.

The November election was a straight-out old-line contest for office between the old parties. An appeal by President Wilson injected the issue of approval of the policies of the national administration, but the reaction of Illinois republicans and their enthusiasm for the indorsement of the Lowden administration counterbalanced this *coup.* As a result the normal republican majority asserted itself and republicans rejoiced in the victory which they won for Frank O. Lowden and Medill McCormick.

Illinois was, from the point of view of international relations, the most important state in the Mississippi valley — in the opinion of many the most important state in the union.[63] The sturdy war governor interpreted this rôle to the political authorities through the state and to the state council of defense; and these forces in turn coöperated in carrying the message to the people of this typical American commonwealth. To this appeal the citizenry of Illinois responded with a growing enthusiasm and achieved a record befitting the keystone state of the middle west.

[63] Word came from the state department at Washington that the federal administration regarded Illinois as the most important state in the union. Message from Secretary of State Lansing delivered to Governor Lowden by Levy Mayer. Notes on conference with the governor.

APPENDIX

Population at Work in Illinois, 1890–1910

Year	Total population	Persons engaged in		Per cent of population occupied in	
		All occupations	Agriculture	All occupations	Agriculture
1890.....	3,826,352	1,353,559	430,134	35.4	31.8
1900.....	4,821,550	1,840,040	461,015	37.4	25.6
1910.....	5,638,591	2,296,778	444,242	47.0	19.3

Percentage of Farm Population in Illinois of Specified Nationality, 1890–1910[1]

Year	Native born	German	British	Scandinavian	Canadian	All others
1890.....	78.5	11.2	6.5	3.1	.6	.1
1910[1].....	86.8	7.2	2.0	2.4	.3	1.3

[1] Farm operators only.

Drain Tile in Illinois, 1895–1915[2]

Year	Drain tile laid (feet)	Increase (per cent)	Distribution (per cent)			Tile per acre of cultivated land (feet)
			North division	Central division	South division	
1895.....	666,669,066					26
1900.....	713,900,551	7.0	52.2	47.1	0.7	25
1905.....	728,607,043	0.2	52.8	46.4	0.8	26
1910.....	745,633,530	2.3	53.3	45.7	1.0	26
1915.....	753,213,977	1.0	53.8	45.3	0.9	27

[2] Statistical reports of Illinois state board of agriculture.

FARM PRODUCTS IN ILLINOIS, 1895–1914

PERIOD	Average annual value farm products	Percentages of farm products	
		Field crops	Animal products
1895-99	$185,891,872	69.8	30.2
1900-04	285,187,236	74.1	25.9
1905-09	288,345,566	76.8	23.2
1910-14	276,924,048	76.2	23.8

FIELD CROPS IN ILLINOIS, 1890–1917

PERIOD	Average annual values of field crops	Percentages of field crops			
		Cereal crops	Hay and pasture	Horticultural	Miscellaneous
1895-99	$129,890,293	67.0	27.2	4.4	1.4
1900-04	211,294,080	74.9	21.8	2.6	0.7
1905-09	221,394,942	77.2	19.8	2.5	0.5
1910-14	211,152,298	77.5	19.9	1.9	0.7
1915-17	518,227,210	77.0	19.1	2.9	1.0

RELATIVE IMPORTANCE OF THE CEREAL CROPS, 1895–1917

PERIOD	Average annual crop value	Percentages of all cereal crops					
		Corn	Oats	Wheat	Rye	Barley	Buckwheat
1895-99	$ 87,005,534	65.1	23.1	10.7	.9	.2	*a*
1900-04	158,275,726	65.9	22.5	10.8	.6	.2	*a*
1905-09	170,880,292	69.3	18.9	11.1	.5	.2	*a*
1910-14	163,666,162	71.1	19.4	8.8	.3	.4	*a*
1915-17	399,226,501	66.1	24.5	8.3	.7	.3	*a*

a Less than one-tenth per cent.

PRODUCTION OF CORN IN ILLINOIS, 1895–1917

PERIOD	Average annual yield (bushels)	Increase (per cent)	Distribution (per cent)			Yield per acre (bushels)	Profits per acre
			North division	Central division	South division		
1895-99.....	254,048,321	42.1	47.8	40.5	11.7	36	$ .83
1900-04.....	273,354,292	7.6	42.2	45.5	12.3	34	3.98
1905-09.....	265,461,945	−2.9	41.9	46.4	11.7	35	7.12
1910-14.....	235,947,707	−11.1	46.6	44.8	8.6	35	8.13
1915-17.....	308,929,760	30.9	38.0	50.1	11.9	33	16.21

PRODUCTION OF WINTER WHEAT IN ILLINOIS, 1895–1917

PERIOD	Average annual yield (bushels)	Increase or decrease (per cent)	Distribution (per cent)			Yield per acre (bushels)	Profits per acre
			North division	Central division	South division		
1895-99.....	15,399,648	−43.3	3.8	42.8	53.4	11	$−3.28
1900-04.....	23,946,433	55.5	2.6	50.0	47.4	15	1.69
1905-09.....	21,796,339	−19.9	3.4	55.4	41.2	17	5.01
1910-14.....	16,196,728	−21.9	7.2	49.1	43.7	16	3.31
1915-17 *a*	23,380,091	23.5	10.9	39.9	49.2	16	11.85

a Spring and winter wheat combined.

PRODUCTION OF SPRING WHEAT IN ILLINOIS, 1895–1917

PERIOD	Average annual yield (bushels)	Increase or decrease (per cent)	Distribution (per cent)			Yield per acre (bushels)	Profits per acre
			North division	Central division	South division		
1895-99.....	557,909	−32.8	72.5	19.6	7.9	14	$−1.42
1900-04.....	1,254,347	124.7	76.8	19.1	4.1	16	1.12
1905-09.....	1,334,231	6.4	84.8	11.8	3.4	20	7.50
1910-14.....	1,117,535	−16.2	82.6	14.7	4.0	19	7.25
1915-17.....	(See preceding table)						

PRODUCTION OF OATS IN ILLINOIS, 1895–1917

PERIOD	Average annual yield (bushels)	Increase (per cent)	Distribution (per cent)		
			North division	Central division	South division
1895-99.....	115,621,826	11.9	63.8	26.4	9.8
1900-04.....	123,410,288	6.7	58.3	31.7	10.0
1905-09.....	94,714,679	−23.2	64.1	29.8	6.1
1910-14.....	94,359,453	−0.4	67.3	29.2	3.5
1915-17 *a* ...	212,014,534	124.8	42.1	45.8	12.1

a The distribution among the three divisions of the state is for 1917 only.

PRODUCTION OF OATS IN ILLINOIS, 1895–1917

PERIOD	Yield per acre (bushels)	Profits per acre
1895-99.....	31	$−3.11
1900-04.....	34	1.58
1905-09.....	31	2.41
1910-14.....	34	3.53
1915-17.....	45	10.77

PRODUCTION OF RYE, BARLEY, AND BUCKWHEAT, 1895–1917

PERIOD	Average annual yield (bushels)		
	Rye	Barley	Buckwheat
1895-99.....	1,929,269	428,093	40,140
1900-04.....	1,807,028	765,647	33,111
1905-09.....	1,349,507	885,436	29,663
1910-14.....	738,409	1,077,445	23,778
1915-17.....	2,388,116	1,323,356	53,598

HAY AND PASTURES IN ILLINOIS, 1895–1917

PERIOD	Average annual yield (value)	Distribution (per cent)		
		North division	Central division	South division
1895-99	$35,228,553	52.7	31.1	16.2
1900-04	45,998,441	46.8	36.4	16.8
1905-09	43,889,980	50.0	32.8	17.2
1910-14	41,975,672	55.1	28.8	16.1
1915-17 *a*	98,818,878	35.7	35.0	29.3

PERIOD	Percentages of hay and pastures	
	Hay	Pasture
1895-99	56.0	44.0
1900-04	62.5	37.5
1905-09	58.9	41.1
1910-14	56.2	43.8
1915-17	66.7	33.3

a The distribution among the three divisions is on the basis of hay alone for the year 1917.

RELATIVE IMPORTANCE OF ANIMAL PRODUCTS, 1895–1917

PERIOD	Average annual value	Percentages of animal products				
		Animals sold	Dairy products	Poultry products	Wool	Honey
1895-99	$56,001,579	65.1	30.1	4.0	.7	.1
1900-04	73,893,156	70.1	25.9	3.4	.5	.1
1905-09	66,951,624	65.3	29.3	4.7	.6	.1
1910-14	65,771,750	54.0	37.6	7.8	.5	.1
1915-17	83,682,770	59.8	32.6	7.1	.4	.1

LIVESTOCK IN ILLINOIS, 1890–1918

YEAR	Value of livestock	Increase (per cent)	Distribution (per cent)			Average value per farm
			North division	Central division	South division	
1890.....	$180,431,662	36.2	44.4	41.8	13.8	$ 750
1900.....	193,758,037	7.4	43.2	39.3	17.5	734
1910.....	308,804,431	59.4	42.2	39.1	18.7	1,226
1918 *a*....	444,682,000	44.0				

a The figures for 1918 were taken from the *Monthly Crop Reporter* for February, 1918, volume 4, number 2, p. 10-20.

HORSES AND MULES IN ILLINOIS, 1890–1918

YEAR	Horses		
	Number	Increase (per cent)	Average number per farm
1890.....	1,335,289	30.4	5.5
1900.....	1,242,252	– 6.9	4.7
1910.....	1,402,649	12.9	5.6
1918 *a*.....	1,467,000	3.9	

YEAR	Mules and asses		
	Number	Increase (per cent)	Average number per farm
1890.....	107,875	– 12.5	.5
1900.....	113,369	5.1	.3
1910.....	143,494	26.5	.6
1918 *a*.....	150,000	5.0	

a The figures for 1918 were taken from the *Monthly Crop Reporter* for February, 1918, volume 4, number 2, p. 10-11.

CATTLE IN ILLINOIS, 1890–1918

YEAR	Number	Increase (per cent)	Distribution (per cent)			Average number per farm
			North division	Central division	South division	
1890...	1,968,654	29.9	51.2	36.6	12.2	8.2
1900...	1,373,024	−30.3	54.0	32.9	13.1	5.2
1910...	1,066,275	−22.2	51.8	32.2	16.0	4.2
1918 *a*..	1,314,000	23.2	51.4	29.0	18.9	

a The figures for 1918 were taken from the *Monthly Crop Reporter* for February, 1918, volume 4, number 2, p. 13.

BEEF CATTLE SOLD IN ILLINOIS, 1895–1917

PERIOD	Number	Increase (per cent)	Distribution (per cent)			Price per beef	Gain feeding corn per beef
			North division	Central division	South division		
1895-99.....	407,622	−3.4	49.1	35.9	15.0	$41.80	$13.42
1900-04.....	536,075	31.5	49.2	35.5	15.3	49.30	.38
1905-09.....	467,092	−12.8	46.8	35.4	17.8	51.25	−6.75
1910-14.....	298,913	−36.0	52.8	31.1	16.1	64.70	1.47
1915-17.....	257,632	−16.1	51.6	29.7	18.7	85.30	

HOGS SOLD IN ILLINOIS, 1895–1917

PERIOD	Average number	Decrease (per cent)	Distribution (per cent)			Annual price per hog	Gain feeding corn per hog
			North division	Central division	South division		
1895-99.....	2,449,320	3.2	45.6	38.4	16.0	$ 7.73	$0.70
1900-04.....	2,219,208	9.4	37.3	43.7	19.0	11.20	−.71
1905-09.....	1,699,243	23.4	38.9	42.6	18.5	11.96	−2.39
1910-14.....	1,015,625	40.2	48.0	35.7	16.3	15.25	−.39
1915-17.....	1,296,149	+27.6	43.4	41.5	15.1	20.63	

SHEEP SOLD IN ILLINOIS, 1895–1917

PERIOD	Average number sold	Decrease (per cent)	Distribution (per cent)			Price per sheep	Gain feeding corn per sheep
			North division	Central division	South division		
1895-99.....	149,413	5.9	28.8	38.9	32.3	$3.32	$0.92
1900-04.....	130,579	12.6	31.5	41.3	27.2	3.81	−.34
1905-09.....	88,643	32.3	31.6	44.1	24.3	4.91	
1910-14.....	75,029	15.4	35.0	42.8	22.2	4.89	−.44
1915-17.....	51,929	30.8	38.0	41.0	21.0	9.01	

DAIRY PRODUCTS IN ILLINOIS, 1895–1917

PERIOD	Average annual value	Increase (per cent)	Distribution by regions		
			North division	Central division	South division
1895-99.....	$16,851,326	−7.8	89.9	5.2	4.9
1900-04.....	19,128,323	13.5	89.7	5.3	5.0
1905-09.....	19,592,634	2.4	87.7	5.9	6.4
1910-14.....	24,762,042	26.4	83.8	6.0	10.2
1915-17.....	27,267,650	10.1	81.0	8.6	10.4

PERIOD	Distribution of products			
	Milk	Butter	Cream	Cheese
1895-99.....	76.0	17.8	5.0	1.2
1900-04.....	78.7	15.5	5.3	.5
1905-09.....	78.8	15.1	5.5	.6
1910-14.....	78.4	11.1	10.1	.4
1915-17.....	76.7	10.4	12.5	.4

PERCENTAGES OF TOTAL NUMBER OF ESTABLISHMENTS, OF WAGE EARNERS, AND OF VALUE OF PRODUCT REPRESENTED BY CORPORATIONS IN CERTAIN INDUSTRIES IN ILLINOIS, 1914

INDUSTRY	Per cent of total in corporations		
	Establishments	Wage earners	Value of product
Agricultural implements	70.0	99.4	99.5
Automobiles	58.3	86.4	90.7
Foundry and machine shop products	54.0	91.1	91.9
Furniture and refrigerators	58.3	86.1	86.2
Paint and varnish	82.0	92.8	96.0
Slaughtering and meat packing	56.7	97.1	96.9

In the twenty-five-year period between 1890 and 1914 Illinois made rapid strides as a manufacturing state, although it is somewhat difficult to establish the exact steps of development upon the basis of the census statistics since the listing of manufactures was changed during this period. Down to 1900 all establishments which produced over $500 value of product a year were included in the statistics of manufactures, but beginning with 1904 this term was limited to establishments conducted under the so-called factory system. Accordingly the two sets of figures are not comparable, but by using the statistics for each group of establishments for 1900 it is possible to bridge the gap between the census of 1890 and that of 1914. And if the statistics are used which show the percentages of increase or decrease instead of the absolute amounts a still clearer picture is obtained of the progress that has been made, though here too the interpolation of the intercensal figures for 1904 reduces the rate of growth which would otherwise have been shown for the decade 1899–1909. The table following shows the essential facts.

Manufactures in Illinois, 1890–1914

	1889	1899 *a*	1899 *b*	1904	1909	1914	(Per cent of increase) 1889*a* to 1899	1899*b* to 1909	1899*b* to 1904	1904 to 1909	1909 to 1914
Number of establishments.	20,482	38,360	14,374	14,921	18,026	18,388	87.3	25.4	3.8	20.8	2.0
Persons engaged in manufactures	312,198	480,643	*c*	447,947	561,044	617,927	53.8	*e*	*e*	25.2	10.1
Proprietors and firm members	*c*	41,191	*c*	13,990	17,357	15,854	*e*	*e*	*e*	24.1	– 8.7
Salaried employees	31,980*d*	44,342	40,964	54,521	77,923	95,130	38.7	90.2	33.1	42.9	22.1
Wage earners (average number)	280,218	395,110	332,871	379,436	465,764	506,943	41.0	39.9	14.0	22.8	8.8
Primary horsepower	*c*	*c*	559,347	741,555	1,013,071	1,305,930	*e*	81.1	32.6	36.6	28.9
Capital	$502,004,512	$ 776,829,598	$ 732,830,000	$ 975,845,000	$1,548,171,000	$1,943,835,846	54.7	111.2	33.2	58.6	25.6
Expenses	780,057,861	1,105,479,158	999,151,000	1,281,208,000	1,733,327,000	*e*	41.7	73.4	28.2	35.3	*e*
Services	171,523,579	234,848,426	199,653,000	268,965,000	364,768,000	469,387,910	36.9	82.7	34.7	35.6	*e*
Salaries	28,650,314	43,337,464	40,549,000	60,560,000	91,449,000	128,477,585	51.3	125.5	49.4	51.0	40.5
Wages	142,873,265	191,510,962	159,104,000	208,405,000	273,319,000	340,910,325	34.0	71.7	31.0	31.1	24.7
Materials	529,019,089	739,754,414	681,450,000	840,057,000	1,160,927,000	1,340,183,407	39.8	70.3	23.3	38.2	15.4
Miscellaneous	79,515,193	130,876,318	118,048,000	172,186,000	207,632,000	*e*	64.6	75.8	45.9	20.6	*e*
Value of products	908,640,280	1,259,730,168	1,120,868,000	1,410,342,000	1,919,277,000	2,247,322,819	38.6	71.2	25.8	36.1	17.1
Value added by manufacture (value of products less cost of materials)	379,621,191	519,975,754	439,418,000	570,285,000	758,350,000	907,139,412	36.9	72.5	29.8	33.0	19.6

a and *b* The censuses of 1904 and 1909 were confined by law to manufacturing establishments conducted under the factory system, excluding the neighborhood, household, and hand industries, which are included in the earlier ones. In the table above, therefore, the statistics for 1899 are given for both groups of establishments; the first column (*a*) is comparable with 1889, the second (*b*) only with 1904, 1909, and 1914.

c Figures not available.

d Includes proprietors and firm members, with their salaries.

e Figures not available.

RECEIPTS OF FLOUR AND GRAIN AT CHICAGO, 1890–1915[3]

YEAR	Flour (barrels)	Wheat (bushels)	Corn (bushels)	Oats (bushels)	Rye (bushels)	Barley (bushels)	Total
1890....	4,358	14,249	91,388	75,150	3,521	15,134	219,053
1895....	3,005	20,638	59,528	79,891	1,657	14,195	189,433
1900....	9,314	48,048	134,663	105,227	1,974	17,814	349,637
1905....	7,945	26,899	110,823	92,487	2,392	28,074	296,428
1910....	8,006	27,540	102,593	101,859	1,153	25,685	294,859
1915....	9,063	70,704	95,357	133,475	4,648	26,167	371,135

[3] Compiled from reports of Chicago Board of Trade. Three ciphers omitted in all cases.

SHIPMENTS OF FLOUR AND GRAIN FROM CHICAGO, 1890–1915[4]

YEAR	Flour (barrels)	Wheat (bushels)	Corn (bushels)	Oats (bushels)	Rye (bushels)	Barley (bushels)	Total (bushels)
1890....	4,135	11,975	90,574	70,768	3,280	9,471	204,675
1895....	2,532	22,776	59,964	66,839	1,168	9,322	171,464
1900....	7,397	36,650	111,100	77,555	1,224	5,739	265,552
1905....	7,362	13,923	91,153	66,132	1,152	7,374	212,862
1910....	7,038	18,679	78,623	77,890	498	7,238	214,601
1915....	7,674	55,576	73,667	122,469	3,993	8,852	299,090

[4] Compiled from reports of Chicago Board of Trade. Three ciphers omitted in all cases. The totals include shipments of flour receipts reduced to their equivalent in bushels of wheat.

CLASSES OF FREIGHT CARRIED BY ILLINOIS RAILROADS, 1889–1913[5]

YEAR	Products of agriculture (tons)	Products of animals (tons)	Products of mines (tons)
1889	9,985,424	3,453,918	14,360,114
1892	12,817,446	5,260,707	19,862,729
1895	10,654,097	4,654,422	20,501,250
1898	15,111,968	5,498,170	22,697,602
1901	18,914,296	5,887,037	35,066,088
1904	19,426,673	6,742,588	46,119,030
1907	19,994,175	10,660,379	69,104,133
1910	21,491,975	6,093,217	72,476,521
1913	26,545,845	6,639,463	82,412,184

[5] Compiled from reports of Illinois railroad and warehouse commission. These statistics were not collected prior to 1889, and have been given up since 1913.

YEAR	Products of forests (tons)	Merchandise (tons)	Manufactures (tons)	Miscellaneous (tons)
1889	3,099,581	3,749,310	4,323,346	7,967,436
1892	4,527,671	3,534,774	6,721,551	9,297,096
1895	6,971,957	3,633,217	3,622,271	12,801,307
1898	4,277,330	3,986,790	10,113,887	5,115,453
1901	6,924,443	4,666,522	12,710,746	31,948,689
1904	9,714,930	6,057,544	14,867,827	13,823,207
1907	13,872,395	8,353,467	25,534,888	25,308,375
1910	14,331,945	7,537,778	30,360,777	28,516,938
1913	15,954,004	6,745,640	33,815,735	24,553,055

RECEIPTS AND SHIPMENTS OF GRAIN AT PEORIA, 1897–1915[6]

YEAR	Receipts (bushels)	Shipments (bushels)
1897	33,394,820	19,224,950
1902	34,766,818	19,983,835
1907	34,482,800	27,429,900
1912	32,851,869	27,692,040
1915	39,296,802	27,691,337

[6] Compiled from annual *Reports of Trade and Commerce of Peoria.*

MILES OF LINE IN ILLINOIS, 1894–1914

YEAR	Miles of line	Increase
1894	10,460.38	52
1895	10,649	189
1896	10,725.97	76
1897	10,775.58	50
1898	10,851.67	76
1899	10,872.75	21
1900	11,002.93	130
1901	11,118.78	116
1902	11,299	181
1903	11,426.87	127
1904	11,622.74	196
1905	11,832	210
1906	12,118	286
1907	12,206	88
1908	11,891	−315 *a*
1909	11,850.91	−41
1910	11,878	28
1911	11,980	102
1912	11,976	−4
1913	12,012	36
1914	12,139.71	127
1915	12,157	18
1916		

a Beginning with 1908 the interstate commerce commission data do not include switching and terminal companies, which had been included previous to that year. This accounts for the apparent decrease of mileage in 1908. Had the mileage of these companies been included 1908 would have shown an increase of 105 miles over the preceding year.

Sources: Data from annual *Statistics of Railroads* published by the interstate commerce commission. "Miles of Line" includes main line and branches, but not double track or sidetrack.

FREIGHT TRAFFIC AT PEORIA, 1888–1915[7]

YEAR	Tonnage	YEAR	Tonnage
1888	2,450,690	1904	6,994,023
1892	3,378,789	1908	7,820,956
1896	3,900,347	1912	12,125,607
1900	5,128,257	1915	10,692,667

[7] Compiled from *Reports of Trade and Commerce of Peoria.*

FREIGHT CROSSING MISSISSIPPI RIVER AT ST. LOUIS, 1890–1914[8]

YEAR	To Illinois (tons)	From Illinois (tons)	Total to and from Illinois and St. Louis
1890	2,735,595	4,897,358	7,632,953
1894	2,690,222	4,873,742	7,563,964
1898	4,159,809	5,984,533	10,144,342
1902	5,630,756	8,943,159	14,573,924
1906	7,324,424	10,929,224	18,253,648
1910	6,263,285	13,410,941	19,674,226
1914	7,667,189	12,731,914	20,399,103

[8] Compiled from *Report on Trade and Commerce of St. Louis.*

GROWTH OF FREIGHT TRAFFIC IN ILLINOIS, 1893–1914[9]

YEAR	Total tons of freight	Freight train mileage	Freight tons carried 1 mile
1893	61,769,857	32,112,428	5,550,810,577
1896	63,776,151	38,959,466	7,474,397,684
1899	73,335,755	38,352,209	7,603,742,188
1902	125,387,678	41,978,135	10,418,883,186
1905	123,584,087	45,426,752	12,578,217,286
1908	161,311,175	45,442,011	16,383,912,082
1911	185,837,049	49,782,813	19,497,923,096
1913	222,797,833	49,685,519	22,714,603,361
1914	205,642,000	50,356,287	21,928,272,000

[9] Compiled from report of the railroad and warehouse commission of Illinois.

GROWTH OF PASSENGER TRAFFIC IN ILLINOIS

YEAR	Passengers carried	Passengers carried one mile
1875		334,115,234 *a*
1880	10,425,696	
1885	11,161,633	499,000,000 *b*
1890	23,755,056	586,610,364
1895	38,028,000	900,000,000 *c*
1900	42,153,557	1,028,891,994
1905	53,547,290	1,754,909,326
1910	81,152,465	2,185,685,239
1914	90,854,940	2,411,117,558

a Estimate by the railroad and warehouse commission of 1875. *Report,* 1875, p. 13.
b Estimated on basis of passengers carried and miles in average trip.
c To make the figures comparable the estimated traffic of elevated lines was subtracted from the figure given by the commission. In subsequent years steam and elevated roads are reported separately and only figures for the former are given in the above table. All others are taken from different volumes of railroad and warehouse reports.

GROWTH OF INTERURBAN ELECTRIC RAILWAYS IN ILLINOIS, 1899–1914[10]

YEAR	Mileage	YEAR	Mileage	YEAR	Mileage	YEAR	Mileage
1899	11	1904	542	1909	1,242	1914	1,493
1900	33	1905	718	1910	1,325		
1901	56	1906	890	1911	1,390		
1902	167	1907	1,137	1912	1,398		
1903	321	1908	1,258	1913	1,493		

[10] Compiled from railroad and warehouse commission reports.

AVERAGE FREIGHT AND PASSENGER RATES, 1894–1914

YEAR	Illinois		United States	
	Freight (*a*)	Passenger (*b*)	Freight (*c*)	Passenger (*d*)
1894	.....	2.31	.860	1.986
1895	.....	2.26	.839	2.040
1896	.800	2.07	.806	2.019
1897	.....	.....	.798	2.022
1898	.....	.....	.753	1.973
1899	.771	2.022	.724	1.925
1900	.720	.....	.729	2.003
1901	.....	2.146	.750	2.013
1902	.069	1.932	.757	1.986
1903	.....	.....	.763	2.006
1904	.....	.....	.780	2.006
1905	.691	1.812	.766	1.962
1906	.....	.....	.748	2.003
1907	.....	.....	.759	2.014
1908	.....	.....	.754	1.937
1909	.656	1.719	.763	1.928
1910	.648	1.717	.753	1.938
1911	.....	.....	.757	1.974
1912	.656	1.740	.744	1.987
1913	.647	1.713	.729	2.008
1914	.635	1.760	.733	1.982

a The annual reports of the Illinois railroad and warehouse commission.

b Ibid.

c Before 1900, Newcomb, *Rates of Charge*. After 1900, annual volumes of *Statistics of Railways*, published by the interstate commerce commission.

d Ibid.

ACCIDENTS ON THE STEAM RAILROADS IN ILLINOIS

YEAR ENDING JUNE 30	Passengers		Employees		Others		Total	
	Killed	Injured	Killed	Injured	Killed	Injured	Killed	Injured
1894	65	258	134	1,057	475	512	674	1,827
1895	12	155	175	1,433	443	460	630	2,048
1896	21	104	173	1,399	401	477	595	1,980
1897	21	193	141	1,414	415	474	577	2,081
1898	11	141	164	1,639	471	443	646	2,223
1899	21	172	199	1,777	472	482	692	2,431
1900	12	137	199	2,122	503	490	714	2,749
1901	30	205	190	2,020	519	469	739	2,694
1902	39	304	219	2,190	514	542	772	3,036
1903	31	357	282	2,637	561	568	874	3,562
1904	25	462	326	2,800	513	462	864	3,724
1905	66	707	297	3,270	541	600	904	4,577
1906	33	566	333	4,010	610	613	976	5,189
1907	45	551	374	4,888	534	723	953	6,162
1908	25	423	278	4,704	533	639	836	5,766
1909	26	499	276	5,025	527	741	829	6,265
1910	18	551	329	5,850	488	959	835	7,360
1911	18	736	289	9,199	601	1,054	908	10,989
1912	21	1,135	319	10,314	560	1,049	900	12,498
1913	31	1,059	338	12,960	626	1,109–	995	15,128
1914 *a*	20	876	254	14,233	617	1,084	891	16,248
1915	14	764	155	11,874	540	973	709	13,639
1916	15	609	167	3,808	18	173	760	14,869

a Totals in each group not given.

TRAFFIC ON ILLINOIS AND MICHIGAN CANAL, 1890–1915[11]

YEAR	Number boats running	Clearances	Tons transported	Miles
1890	104	2,920	742,392	260,713
1895	88	2,662	591,507	196,132
1900	60	2,820	121,759	99,409
1905	124	1,354	38,820	40,617
1910	357	1,696	374,500	43,234
1915	463	1,533	358,550	30,391

YEAR	Gross expenses	Receipts from tolls	Deficit
1890	$75,125	$55,112	$20,013
1895	71,142	39,106	32,036
1900	88,317	13,867	74,450
1905	50,890	4,950	45,940
1910	57,938	3,754	54,184
1915	35,756	1,334	34,422

[11] Compiled from reports of Illinois canal commissioners.

SHIPMENTS BY LAKE FROM CHICAGO, 1894–1915[12]

YEAR	Flour (barrels)	Wheat (bushels)	Corn (bushels)	Oats (bushels)
1894	1,630,343	15,016,804	37,148,717	13,913,761
1897	1,060,734	18,449,628	85,250,760	50,192,982
1900	1,121,748	26,577,243	78,968,109	24,382,635
1903	1,265,482	16,443,522	68,092,622	17,071,172
1906	2,609,046	9,139,655	43,637,502	6,986,825
1909	3,087,834	9,294,500	26,852,366	4,657,000
1912	2,714,380	17,672,150	24,552,050	5,384,500
1915	2,609,000	16,206,000	25,047,000	3,135,000

[12] Compiled from reports of Chicago Board of Trade.

AVERAGE FREIGHT CHARGES ON WHEAT FROM CHICAGO TO NEW YORK[13]

YEAR	Lake and canal	Lake and rail	All rail
1890	6.76	8.52	14.30
1895	4.86	6.96	11.89
1900	4.49	5.10	9.96
1905	5.53	6.40	9.90
1910	4.92	6.57	8.80
1915	6.06	7.47	10.63

[13] Compiled from reports of Chicago Board of Trade. Figures are cents per one hundred bushels. For 1890 and 1895 the lake and canal rates include charges and tolls at Buffalo; from 1900 on these are excluded.

RECEIPTS BY LAKE AT CHICAGO, 1894–1915[14]

YEAR	Iron ore (tons)	Coal (tons)	Lumber (M feet)	Merchandise unclassified
1894	898,587	1,208,120	1,075,763	2,559,734 packages
1897	1,820,212	1,318,965	917,212	3,575,479 "
1900	2,380,973	991,297	590,270	3,103,825 "
1903	3,237,793	1,262,111	459,848	641,965 tons
1906	4,284,332	938,151	429,835	702,104 "
1909	4,687,885	1,240,286	381,444	709,951 "
1912	5,558,000	1,712,959	284,596	1,110,163 "
1915	4,247,135	1,766,440	134,887	1,331,213 "

[14] Compiled from reports of Chicago Board of Trade.

GENERAL NOTES FOR TABLE ON PAGES 424 AND 425

All figures for the table on pages 424 and 425 are taken from the statements of warrants drawn on the state treasurer in the reports of the state auditor of public accounts.

The obscurity of some of the items in the auditors' reports, and the grouping in many cases of unlike items, often made it difficult to get exact figures for distinct items. In such cases the nearest possible approximation to exactness was made which careful examination could give. The bienniums extend from October 1 to September 30 of the even numbered years.

Column I:

This column includes salaries of governor, lieutenant governor, secretary of state, treasurer, auditor of public accounts, and attorney-general, and the salaries of their regular clerks and assistants. Casual expenditures for "extra clerk hire" are not included, the object being to include only those items which are continuous from the beginning to the end of the period.

Column Ia:

This column includes all expenses other than salaries connected with the administrative departments, together with the "contingent fund of the governor," the state board of equalization expenditures, cost of the civil service commission, and a few other minor administrative expenses.

Column II:

This column includes per diem mileage, allowance for postage and stationery of the members and officers of the general assembly, and the expenses of those employees of the general assembly who were employed by that body, but not those employees who were appointed by the secretary of state on account of the general assembly. The salaries of the latter are included in 11a.

Column IIa:

This column includes all expenses connected with the general assembly not included in 11. It includes the expenses of committees appointed by the general assembly, expense of distributing the printed laws and journals, and other matters.

Column III:

This column includes per diem mileage, allowance for postage, and supreme, appellate, and circuit courts, and those of the state's attorneys in the several counties of the state, together with pay of stenographers, clerks, and reporters of the state supreme court after 1895–1896. Salaries of judges of the superior court of Cook county are also included during the whole period. After 1899–1900 clerks of the appellate courts are included.

Column IIIa:

This column includes the expense of the reporter and reports of the supreme court, expenses of the court of claims (costs and expenses of state suits), and all other judicial expenditures not included in III.

Column IV:

This column includes expenses of "printing paper and stationery," "public printing," "public binding," publishing notices, cost of revision of statutes, and expenses and salaries of state printer expert and his assistants.

Column V:

"Educational institutions" includes normal schools, state university, state library, state historical library and natural history museum, and the state entomologist. The latter is included because in the earlier period the appropriations for his work are included with those for the state university. "Current expenses" includes salaries, cost of supplies, etc.—all those expenses which are used up once and for all time during the year or what are commonly called "ordinary expenses."

Column Va:

This column includes all expenditures for grounds, buildings (construction and repair), and equipment, and all other expenses not included in V.

Column VI:

"Charitable institutions" includes all insane asylums (except the asylum for the criminal insane), schools and homes for feeble-minded, deaf and dumb, and the blind, the soldiers' orphans' home, soldiers' and sailors' home, soldiers' widows' home, and all other charitable institutions maintained by the state. The expenses of the state board of administration and the state architect are also included in this group because the cost of charitable institutions is the largest single item of expenditure which they control.

Column VIa:

This column includes all expenses for charitable institutions not in-

cluded in column VI. These expenditures represent buildings, grounds, equipment, and all other expenses for more or less permanent objects.

Column VII:

" Penal and correctional institutions " includes the two state penitentiaries, the state reformatory, the state school for delinquent boys, the state home for juvenile female offenders, and the asylum for insane criminals.

" Current expenses " includes the cost of labor and supplies in running the state penal and correctional institutions, together with the expenses of conveying convicts to and from these institutions, the expense incurred in the apprehension and delivery of fugitives from justice, and the expense, during the latter part of the period, of the state parole agents.

Column VIII:

" Militia and military affairs " includes the salaries and office expenses of the adjutant general and his assistants, and all the expenditures upon the Illinois national guard.

Column IX:

This column includes all expenses of construction, repair, equipment, and maintenance of the statehouse and executive mansion.

Column X:

This column includes the expenditures from the special school fund, plus the cost of the department of public instruction, which is paid from the revenue fund. This expenditure is for the maintenance and support of the common school system of the state and is separate and apart from the expenditures for state normal schools and the state university.

Column XI:

This column includes all expenses by the state board of health, and a few other minor expenses connected with public health.

Column XII:

This column includes all expenditures for canal commissioners and canals, money spent out of the canal redemption fund for bridges over the Chicago river, which were destroyed by fire in 1871; cost of construction of an armory, arsenal, and museum at Springfield, the geological survey and commissioners, expenses of the state highway commission and for state aid roads, public lands and drainage commissioners, and the rivers and lakes commission.

Column XIII:

This includes the expenditures of the state board of agriculture, and the assistance granted to local agricultural boards.

Column XIV:

This column includes the railroad and warehouse commission, state humane agents, commissioners of labor statistics, state board of livestock commissioners and state veterinarian, mine inspectors and mine examiners, insurance superintendent, factory and workshop inspectors, state board of arbitration, state food commissioner, free employment offices, state board of examiners of architects, state fire marshal, safety appliance inspector, commissioners of fire insurance, commissioners of mine rescue stations, commissioners of mining investigation, state board of dental examiners, state board of examiners for barbers, state board of examiners of registered nurses, state board of pharmacy, stallion registration board, state inspector of apiaries, state public utilities commission, state industrial board, grain inspection offices, and various other boards, committees, commissions, dealing in one way or another with state regulation and supervision of private industries.

Column XV:

This column contains the amounts of taxes refunded by the state treasury to the county and local officials, because such amounts had been paid by mistake.

Column XVI:

This column includes the amounts paid by the state as interest and principal on local bonds issued by cities, counties, drainage districts, townships, etc.

Column XVII:

This column includes the expenditures for fish and game conservation in the state.

Column XVIII:

This column includes all expenditures of Illinois for historical monuments, celebrations, and exhibits of all kinds. No expenditures of this class appear before 1887–1888.

Column XIX:

This column includes certain biennial grants to the following societies: Illinois Horticultural Society; Illinois Dairymen's Association; Illinois Poultry and Pet Stock Association; Illinois Live Stock Breeders' Association; Illinois State Firemen's Association; Illinois Bee-keepers' Association; Illinois Milk Producers' Institute; Grand Army of the Republic.

Column XX:

This column includes everything not included in one of the preceding groups. The most important continuous groups placed in this column are what are called in the reports "incidental expenses" and special appropriations, which are unclassifiable elsewhere. The former varied from $98,000 to $27,000, and the latter from $282,000 to $13,000, but there was no regularity in the variations in either case. Another item was the "unknown and minor heirs fund," which began in 1877–1878 and continued until 1907–1908; expenditures on this account varied from $54 to $2,348 without any regularity.

1897–1898: $253,750 paid on account of a casual deficit in state revenues is included in this item.

1903–1904: $113,875 for interest on state school fund included in this item.

Minor variations in this column not otherwise accounted for are due to the variation in the principal items which make up this column.

The aim was to keep this column as low as possible, and items were placed here only when they would not fit in any of the preceding columns.

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